

Message

Sent: 11/12/2019 5:14:13 PM
To: Press [Press@epa.gov]
Subject: FW: The New York Times' Seven Glaring Inaccuracies That's Fit To Print - Preview

From: EPA Press Office <press@epa.gov>
Sent: Tuesday, November 12, 2019 11:01 AM
To: Abboud, Michael <abboud.michael@epa.gov>
Subject: The New York Times' Seven Glaring Inaccuracies That's Fit To Print - Preview

The New York Times' Seven Glaring Inaccuracies That's Fit To Print

Ex. 5 Deliberative Process (DP)

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U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

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Message

From: abboud.michael@epa.gov [abboud.michael@epa.gov]
Sent: 11/12/2019 12:54:27 AM
To: Jackson, Ryan [jackson.ryan@epa.gov]
CC: Block, Molly [block.molly@epa.gov]
Subject: Re:

Molly and I are going to be teleworking from Ann Arbor tomorrow. We will be able to put everything together though.

Sent from my iPhone

On Nov 11, 2019, at 7:42 PM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

Ex. 5 Deliberative Process (DP)

Ryan Jackson
Chief of Staff
U.S. EPA

Ex. 6 Personal Privacy (PP)

On Nov 11, 2019, at 7:28 PM, Block, Molly <block.molly@epa.gov> wrote:

For sure. Is there anything we can start to prepare tonight?

Sent from my iPhone

On Nov 11, 2019, at 7:25 PM, Jackson, Ryan
<jackson.ryan@epa.gov> wrote:

Will need you get your help tomorrow morning. Really, first thing.

Ryan Jackson
Chief of Staff
U.S. EPA

Ex. 6 Personal Privacy (PP)

Begin forwarded message:

From: "Jackson, Ryan" <jackson.ryan@epa.gov>
Date: November 11, 2019 at 7:22:07 PM EST
To: "Friedman, Lisa"
<lisa.friedman@nytimes.com>
Cc: "Bolen, Brittany" <bolen.brittany@epa.gov>,
"Dunlap, David" <dunlap.david@epa.gov>,
"Schiermeyer, Corry"
<schiermeyer.corry@epa.gov>
Subject: Re:

Oh really?

Here's what you emailed:

I'm doing a story today on EPA's supplemental science transparency regulation. Our story will refer to a draft of the supplemental that I am told by several sources is close to being sent to OMB for review. The draft indicates EPA is A) changing the legal justification of the measure to a federal housekeeping statute B) expanding the scope of the measure in several ways including having it apply to all data and models instead of only dose-response data/models and also taking comment on applying retroactively. Finally, I'm aware of an older supplemental in which an option that some staff considered more moderate was removed.

Could someone today speak with me on this? Specifically I'm hoping EPA can explain the new legal justification to me, and offer me some comments/thoughts about why the scope of the transparency

measure has been expanded. Finally looking back at one of my interviews with Mr. Wheeler he was pretty clear that this would not apply retroactively, so I'm also interested in EPA's reasoning behind now seeking comments for doing so and what the scientific benefits of such a move would be.

If I can speak to someone by 3 p.m. I'd be appreciative. If you need more time, though, just let me know -- and of course I'm available on my cell to talk Ex. 6 Personal Privacy (PP) Best,
Lisa

It's Veterans Day. No one is in the office. The social media post was commemorating Veteran's day. No one is at the office but that's what you were hoping. That whole 3pm thing, really meant that too I see.

So, no I don't think that's professional.

But that's fine. You can read about the inaccuracies in your story in someone else's paper.

Ryan Jackson
Chief of Staff
U.S. EPA

Ex. 6 Personal Privacy (PP)

On Nov 11, 2019, at 6:40 PM, Friedman, Lisa
<lisa.friedman@nytimes.com> wrote:

Hi Ryan,
As I told Corry I emailed the entire press staff as soon as I had the documents and assessed them, shortly after 11 am this morning. I sent specific questions and detailed the points that would appear in the

story. I didn't get an out of office reply from anyone and had no idea that not a single person was monitoring EPA's press email account. It was only after I repeatedly reached out in an effort ensure that I represented EPA's view that I leaned everyone was out.

Mr. Wheeler, I'd note, was tweeting today indicating someone on the comms team was working.

As it was we held off for more than two more hours before publishing so that we could at least get some response in the story. If you have more you want to add tonight please let me know and I'll try to do so.

I have only ever been professional with your office, Ryan and I appreciate the same from you. Happy to talk anytime.

Best
Lisa

On Mon, Nov 11, 2019 at 6:29 PM
Jackson, Ryan

<jackson.ryan@epa.gov> wrote:

Hey nice work emailing staff today while they are out of the office on a holiday giving us a deadline for today. We are going to have to blow up your article tomorrow taking the inaccuracies in it apart one by one for everyone else to report on. Happy Veterans Day.

Ryan Jackson
Chief of Staff
U.S. EPA

Ex. 6 Personal Privacy (PP)

--

Lisa Friedman
Reporter, New York Times
(202) 862-0306 office

Ex. 6 Personal Privacy (PP)

cell

Message

From: abboud.michael@epa.gov [abboud.michael@epa.gov]
Sent: 11/12/2019 1:55:01 PM
To: Stromberg, Stephen [Stephen.Stromberg@washpost.com]
CC: Press [Press@epa.gov]
Subject: Re: From WashPost

Sorry for the delay Stephen just landed. We will also have more shortly.

EPA Spokesperson:

The New York Times reporting has numerous errors and is based on a leaked preliminary, draft version of the Supplemental, not the actual text submitted to OMB.

On Friday, November 8, EPA delivered to OMB a draft supplemental federal register notice (FRN) to clarify, modify and supplement certain provisions included in the 2018 proposed Strengthening Transparency in Regulatory Science rule. The 2018 proposed rule solicited comment on all aspects of the proposed rule. This supplemental FRN solicits comment only on the changes and additions to the proposed regulatory text discussed in this supplemental notice. The Agency still intends to issue a final rule in 2020. This final rule will take into account the comments received in response to both the 2018 proposed rule and this supplemental FRN as well as those submitted by the Science Advisory Board.

Sent from my iPhone

On Nov 12, 2019, at 7:16 AM, Stromberg, Stephen <Stephen.Stromberg@washpost.com> wrote:

Hi Michael —

Steve Stromberg with the Post editorial board here. I'm writing today on EPA's new policy on admissible research. What is the administration's response to the fact that the policy would neuter EPA's ability to regulate pollutants long understood to be harmful? To exclude vast quantities of key research that relies on confidential medical information seems to cross the line from caution to willful blindness, no?

Thanks.

Best,
Steve

Stephen Stromberg
Office: 202.334.6370
Cell: Ex. 6 Personal Privacy (PP)

Message

From: abboud.michael@epa.gov [abboud.michael@epa.gov]
Sent: 11/12/2019 5:43:46 PM
To: Sauerhage, Maggie [Sauerhage.Maggie@epa.gov]
CC: Press [Press@epa.gov]; AO-OCIR Everyone [AOOCIR_Everyone@epa.gov]; Regional Public Affairs Directors [Regional_Public_Affairs_Directors@epa.gov]; HQ Communications Directors [HQCommunicationsDirectors@epa.gov]; AO OPA Internal Communications [AO_OPA_Internal_Communications@epa.gov]; AO OPA Web Communications [AO_OPA_Web_Communications@epa.gov]
Subject: Re: Newsroom: The New York Times' Several Glaring Inaccuracies "That's Fit To Print"

Thank you.

Sent from my iPhone

On Nov 12, 2019, at 12:38 PM, Sauerhage, Maggie <Sauerhage.Maggie@epa.gov> wrote:

In the newsroom: <https://www.epa.gov/newsreleases/new-york-times-several-glaring-inaccuracies-thats-fit-print>

<image001.jpg>

The New York Times' Several Glaring Inaccuracies "That's Fit To Print"

WASHINGTON (Nov. 12, 2019) — Late yesterday, the New York Times published a story ***EPA to Limit Science Used to Write Public Health Rules***, that has numerous errors and is based on leaked preliminary, draft documents that are not accurate and do not include the final text submitted to the Office of Management and Budget (OMB) for interagency review.

On Friday, Nov. 8, the U.S. Environmental Protection Agency (EPA) delivered to OMB a draft supplemental federal register notice (FRN) to clarify, modify and supplement certain provisions included in the 2018 proposed “Strengthening Transparency in Regulatory Science” rule. The 2018 proposed rule solicited comment on all aspects of the proposed rule. This supplemental FRN solicits comment only on the changes and additions to the proposed regulatory text discussed in this supplemental notice. The agency still intends to issue a final rule in 2020. This final rule will take into account the comments received in response to both the 2018 proposed rule and this supplemental FRN as well as those submitted by the Science Advisory Board.

EPA recognizes that when it develops significant regulations using public resources, including regulations for which the public is likely to bear the cost of compliance, EPA

should ensure that the data and models underlying scientific studies that are pivotal to the regulatory action are available for review and reanalysis. The “Strengthening Transparency in Regulatory Science” rulemaking is designed to increase transparency in the preparation, identification and use of science in rulemaking. When final, this action will ensure that the regulatory science underlying EPA’s actions are made available in a manner sufficient for independent validation.

EPA has not finalized this proposal but responds to the claims alleged as they are not an accurate account of where the proposal stands. **How the New York Times got it wrong:**

The reporter incorrectly reports that “unlike a proposal that surfaced in early 2018, this one could apply retroactively to public health regulations already in place.” **This is completely false.** The proposal and supplemental will not apply to any regulations already in place.

The reporter again says the proposal would apply retroactively to existing regulations, **which is completely false.** The supplemental (and the original proposal) allow studies like the Harvard Six City study to be used. The agency has not rejected or otherwise eliminated that option in anyway in its original proposal or supplemental. In fact, the supplemental makes it even clearer that such studies must be properly considered and takes comment from the public on this issue.

Additionally, they report that this “would require scientists to disclose all of their raw data, including confidential medical records.” **This is not true.** In the originally proposed regulation and in the leaked supplemental, EPA maintains protecting confidential personal information just as other federal health agencies regularly do. The reporter clearly does not understand the terms in the context of science transparency.

The story continues with more false information. The reporter writes: “The measure would make it more difficult to enact new clean air and water rules...” **This is just wrong.** The reality is that the supplemental addresses this concern and clarifies points that were not entirely made clear in the original proposal. If the reporter had truly read the *outdated* leaked draft she would have read a discussion of how scientists across the country have already approved methods to gain access to a study’s underlying data that contains personal information without revealing the identity of the individuals.

The article continues with more misleading and false information. The reporter writes: “The change is part of a broader administration effort to weaken the scientific underpinnings of policymaking.” **Science transparency does not weaken science, quite the contrary.** By requiring transparency, scientists will be required to publish hypothesis and experimental data for other scientists to review and discuss, requiring the science to withstand skepticism and peer review.

In fact, EPA currently has transparency rules in place for its intramural research and extramural grants. **Non-government funded research should also be subject to transparency requirements.** When finalized, the science transparency rule will ensure

that all important studies underlying significant regulatory actions at the EPA, regardless of their source, are subject to a transparent review by qualified scientists.

The article continues with inaccurate information. The reporter writes: “The new version does not appear to have taken any of the opposition into consideration.” **This is just bad reporting. It is completely misleading, and lacks the understanding of the rule making process.** A supplemental to a proposed rule is not a ‘new’ rule and is not intended to address comments to a proposal. The public will have the ability to comment on the supplemental just as they did for the proposal. The final rule will address all comments.

Additionally, the reporter incorrectly states that: “The politically appointed agency administrator would have wide-ranging discretion over which studies to accept or reject.” **This is completely false.** The rule requires transparency but gives the EPA Administrator the discretion to use studies when information is not available. However, this should be the exception instead of the way of EPA doing business.

The reporter again inaccurately reports on the meaning of “raw data.” The supplemental seeks public comment on any changes to the scope. Once again, **the reporter confuses the situation by using “raw data,” which is clarified in the supplemental.**

In the first paragraph, they report that “the new rule would...” **This is not a new rule.** What was submitted to OMB is a supplemental to the 2018 proposed rule. In the next paragraph, they continue to misreport by calling this a “new draft.” Again, this is not a new rule, this is supplemental to the 2018 proposal.

And finally, the reporter writes: “Academics are not typically required to turn over private data when submitting studies for peer review...” The scientific community is increasingly interested in increasing transparency in research. Several academic journals, including the Public Library of Science and the Annals of Internal Medicine already have a publication condition requiring authors to make their data available upon request and many institutions, including Yale and Harvard universities, are making strides in creating publicly accessible repositories of research and clinical data.

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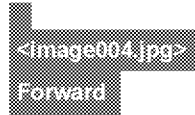
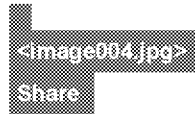
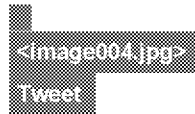
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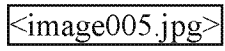




U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue Northwest  
Washington, D.C. 20004



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Message

---

**From:** Block, Molly [block.molly@epa.gov]  
**Sent:** 11/12/2019 8:18:49 PM  
**To:** Dewey, Amy [Dewey.Amy@epa.gov]  
**CC:** Bennett, Tate [Bennett.Tate@epa.gov]; McFaul, Jessica [mcfaul.jessica@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Milbourn, Cathy [Milbourn.Cathy@epa.gov]  
**Subject:** Re: US Chamber of Commerce statement on Transparency

Amy -

Please see: <https://www.epa.gov/newsreleases/new-york-times-several-glaring-inaccuracies-thats-fit-print>

Molly

Sent from my iPad

On Nov 12, 2019, at 3:15 PM, Dewey, Amy <Dewey.Amy@epa.gov> wrote:

---

**From:** Byers, Dan <DByers@USChamber.com>  
**Sent:** Tuesday, November 12, 2019 3:12 PM  
**To:** Dewey, Amy <Dewey.Amy@epa.gov>  
**Subject:** Transparency

Hi Amy - could you share the highlighted below?

The Trump EPA appears to be doubling down on its proposal to limit scientific research used in rulemakings — a plan that could have far-reaching implications for agency regulations.

Simply put, the plan would require that EPA use only publicly available data when crafting regulations. Critics are blasting the effort to limit use of science in a wide range of EPA regulations affecting the environment and public health.

Yesterday the latest iteration of the rule, "Strengthening Transparency in Regulatory Science," began circulating in Washington, D.C. *The New York Times* first reported the leak. The proposal is intended to clarify the controversial plan first issued by former EPA Administrator Scott Pruitt in April 2018, according to the document shared by the *Times* and other news outlets, including E&E News.

This morning, EPA pushed back on the news reports, saying the leaked document was merely a draft — not the actual text submitted to the White House Office of Management and Budget, which reviews rules before they are released.

EPA declined to go on the record, but a spokesperson issued a statement saying the agency on Friday sent OMB a draft supplemental *Federal Register* notice to "clarify, modify and supplement certain provisions included in the 2018 proposed Strengthening Transparency in Regulatory Science rule." Around noon today, EPA issued a lengthy press release challenging multiple parts of the *Times* story, including the notion that the proposal was susceptible to political meddling or would affect existing regulations.

Dan Byers  
Global Energy Institute  
U.S. Chamber of Commerce

**Ex. 6 Personal Privacy (PP)**

<image001.png>

<image002.png>

<image003.png>

<image004.png>

Message

**From:** Schwab, Justin [Schwab.Justin@epa.gov]  
**Sent:** 11/12/2019 3:37:34 PM  
**To:** Jackson, Ryan [jackson.ryan@epa.gov]; Bolen, Brittany [bolen.brittany@epa.gov]; Leopold, Matt (OGC) [Leopold.Matt@epa.gov]  
**CC:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]; Dunlap, David [dunlap.david@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Block, Molly [block.molly@epa.gov]; Jones, Lindsey [jones.lindsey@epa.gov]  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

# Ex. 5 AC/DP

**From:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Sent:** Tuesday, November 12, 2019 10:23 AM  
**To:** Schwab, Justin <Schwab.Justin@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>  
**Cc:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Dunlap, David <dunlap.david@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>; Jones, Lindsey <jones.lindsey@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

**From:** Schwab, Justin <Schwab.Justin@epa.gov>  
**Sent:** Tuesday, November 12, 2019 10:22 AM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>  
**Cc:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Dunlap, David <dunlap.david@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>; Jones, Lindsey <jones.lindsey@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

**From:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Sent:** Tuesday, November 12, 2019 10:22 AM  
**To:** Schwab, Justin <Schwab.Justin@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>  
**Cc:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Dunlap, David <dunlap.david@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>; Jones, Lindsey <jones.lindsey@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

---

**From:** Schwab, Justin <Schwab.Justin@epa.gov>  
**Sent:** Tuesday, November 12, 2019 10:21 AM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>  
**Cc:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Dunlap, David <dunlap.david@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>; Jones, Lindsey <jones.lindsey@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

Please find attached.

---

**From:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Sent:** Tuesday, November 12, 2019 10:00 AM  
**To:** Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>  
**Cc:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Dunlap, David <dunlap.david@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>; Schwab, Justin <Schwab.Justin@epa.gov>; Jones, Lindsey <jones.lindsey@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative  
**Importance:** High

Perfect.

But we have to go. Let's get this out.

Corry, come in when you are free.

---

**From:** Bolen, Brittany <bolen.brittany@epa.gov>  
**Sent:** Tuesday, November 12, 2019 9:53 AM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>  
**Cc:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Dunlap, David <dunlap.david@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>; Schwab, Justin <Schwab.Justin@epa.gov>; Jones, Lindsey <jones.lindsey@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

---

**From:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Sent:** Tuesday, November 12, 2019 9:32 AM  
**To:** Leopold, Matt (OGC) <Leopold.Matt@epa.gov>  
**Cc:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Dunlap, David <dunlap.david@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Block, Molly <block.molly@epa.gov>; Schwab, Justin <Schwab.Justin@epa.gov>  
**Subject:** Re: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

Perfect.

Ryan Jackson  
Chief of Staff  
U.S. EPA

Ex. 5 Personal Privacy (PP)

On Nov 12, 2019, at 9:30 AM, Leopold, Matt (OGC) <Leopold.Matt@epa.gov> wrote:

**Ex. 5 AC/DP**

**Matthew Z. Leopold**  
General Counsel  
U.S. Environmental Protection Agency  
(202) 564-8040

---

**From:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Sent:** Tuesday, November 12, 2019 9:18 AM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>; Dunlap, David <dunlap.david@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

David,

**Ex. 5 AC/DP**

Thank you!

---

**From:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Sent:** Tuesday, November 12, 2019 9:00 AM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Dunlap, David <dunlap.david@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

Fantastic. Can you compare notes? Huge thanks for the rapid turn around. Let's get this to competitors.

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Tuesday, November 12, 2019 8:56 AM  
**To:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

I pulled from what David did...please see attached...

---

**From:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>  
**Sent:** Tuesday, November 12, 2019 8:25 AM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>; Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

This is hugely helpful.

---

**From:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Sent:** Monday, November 11, 2019 9:23 PM  
**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

See attached for my comments on the Times article.

DDD

David D. Dunlap  
O – 202.564.6620

---

**From:** Dunlap, David  
**Sent:** Monday, November 11, 2019 9:22 PM  
**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative



## Ex. 5 Deliberative Process (DP)

DDD

David D. Dunlap  
O – 202.564.6620

---

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Thank you

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David D. Dunlap  
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## Ex. 5 Deliberative Process (DP)

Proposed Statement

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**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

As promised. I am flexible and would appreciate your guidance.

DDD

Draft/Deliberative

Proposed Statement

## Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

David D. Dunlap  
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Thank you. I will wait for your updated points. Thanks!

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**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
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Corry,

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I am working up some additional talking points.

DDD

David D. Dunlap

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**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>

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**Subject:** Re: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

## Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Nov 11, 2019, at 6:50 PM, Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)> wrote:

I am reviewing.

DDD

David D. Dunlap  
O – 202.564.6620

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**Sent:** Monday, November 11, 2019 6:04 PM

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**Cc:** Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>

**Subject:** Fwd: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

This just posted...

**Subject:** NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

E.P.A. to Tighten Limits on Science Used to Write Public Health Rules  
<https://www.nytimes.com/2019/11/11/climate/epa-science-trump.html?smid=nytcore-ios-share>

Sent from my iPhone

Message

---

**From:** Schwab, Justin [Schwab.Justin@epa.gov]  
**Sent:** 11/12/2019 3:20:40 PM  
**To:** Jackson, Ryan [jackson.ryan@epa.gov]; Bolen, Brittany [bolen.brittany@epa.gov]; Leopold, Matt (OGC) [Leopold.Matt@epa.gov]  
**CC:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]; Dunlap, David [dunlap.david@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Block, Molly [block.molly@epa.gov]; Jones, Lindsey [jones.lindsey@epa.gov]  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative  
**Attachments:** EDIT NYT rebuttal.docx

Please find attached.

---

**From:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Sent:** Tuesday, November 12, 2019 10:00 AM  
**To:** Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>  
**Cc:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Dunlap, David <dunlap.david@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>; Schwab, Justin <Schwab.Justin@epa.gov>; Jones, Lindsey <jones.lindsey@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative  
**Importance:** High

Perfect.

But we have to go. Let's get this out.

Corry, come in when you are free.

---

**From:** Bolen, Brittany <bolen.brittany@epa.gov>  
**Sent:** Tuesday, November 12, 2019 9:53 AM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>  
**Cc:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Dunlap, David <dunlap.david@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>; Schwab, Justin <Schwab.Justin@epa.gov>; Jones, Lindsey <jones.lindsey@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

---

**From:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Sent:** Tuesday, November 12, 2019 9:32 AM  
**To:** Leopold, Matt (OGC) <Leopold.Matt@epa.gov>  
**Cc:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Dunlap, David <dunlap.david@epa.gov>; Abboud, Michael

<[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Schwab, Justin <[Schwab.Justin@epa.gov](mailto:Schwab.Justin@epa.gov)>

**Subject:** Re: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

Perfect.

Ryan Jackson  
Chief of Staff  
U.S. EPA

Ex. 6 Personal Privacy (PP)

On Nov 12, 2019, at 9:30 AM, Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)> wrote:

**Ex. 5 AC/DP**

**Matthew Z. Leopold**  
General Counsel  
U.S. Environmental Protection Agency  
(202) 564-8040

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>

**Sent:** Tuesday, November 12, 2019 9:18 AM

**To:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>

**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

David,

**Ex. 5 AC/DP**

Thank you!

---

**From:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>

**Sent:** Tuesday, November 12, 2019 9:00 AM

**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>; Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>

**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold,

Matt (OGC) <Leopold.Matt@epa.gov>; Block, Molly <block.molly@epa.gov>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

Fantastic. Can you compare notes? Huge thanks for the rapid turn around. Let's get this to competitors.

---

**From:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>

**Sent:** Tuesday, November 12, 2019 8:56 AM

**To:** Jackson, Ryan <jackson.ryan@epa.gov>; Dunlap, David <dunlap.david@epa.gov>

**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Block, Molly <block.molly@epa.gov>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

I pulled from what David did...please see attached...

---

**From:** Jackson, Ryan <jackson.ryan@epa.gov>

**Sent:** Tuesday, November 12, 2019 8:25 AM

**To:** Dunlap, David <dunlap.david@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>

**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Block, Molly <block.molly@epa.gov>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

This is hugely helpful.

---

**From:** Dunlap, David <dunlap.david@epa.gov>

**Sent:** Monday, November 11, 2019 9:23 PM

**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>

**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Block, Molly <block.molly@epa.gov>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

See attached for my comments on the Times article.

DDD

David D. Dunlap

O – 202.564.6620

---

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DDD

David D. Dunlap  
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Thank you

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David D. Dunlap  
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# Ex. 5 Deliberative Process (DP)

Proposed Statement

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Draft/Deliberative

Proposed Statement

## Ex. 5 Deliberative Process (DP)

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David D. Dunlap  
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**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

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David D. Dunlap  
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**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
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David D. Dunlap  
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**Cc:** Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>  
**Subject:** Fwd: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

This just posted...

**Subject:** NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

E.P.A. to Tighten Limits on Science Used to Write Public Health Rules  
<https://www.nytimes.com/2019/11/11/climate/epa-science-trump.html?smid=nytcore-ios-share>

Sent from my iPhone

Message

---

**From:** Woods, Andrea [Woods.Andrea@epa.gov]  
**Sent:** 11/12/2019 4:42:44 PM  
**To:** Abboud, Michael [abboud.michael@epa.gov]; McFaul, Jessica [mcfaul.jessica@epa.gov]; Schiermeyer, Corry [schiermeyer.corry@epa.gov]  
**CC:** Block, Molly [block.molly@epa.gov]; Johnson, Taylor [Johnson.Taylor.C@epa.gov]  
**Subject:** RE: The New York Times' Seven Glaring Inaccuracies That's Fit To Print - Preview

Updated below:

## Ex. 5 Deliberative Process (DP)

## **Ex. 5 Deliberative Process (DP)**

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---

**From:** Abboud, Michael <abboud.michael@epa.gov>

**Sent:** Tuesday, November 12, 2019 11:40 AM

**To:** McFaul, Jessica <mcfaul.jessica@epa.gov>; Woods, Andrea <Woods.Andrea@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>

**Cc:** Block, Molly <block.molly@epa.gov>; Johnson, Taylor <Johnson.Taylor.C@epa.gov>

**Subject:** RE: The New York Times' Seven Glaring Inaccuracies That's Fit To Print - Preview

Works for me. We should probably put fit to print in quotes to.

---

**From:** McFaul, Jessica <mcfaul.jessica@epa.gov>

**Sent:** Tuesday, November 12, 2019 11:39 AM

**To:** Woods, Andrea <Woods.Andrea@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>

**Cc:** Block, Molly <block.molly@epa.gov>; Johnson, Taylor <Johnson.Taylor.C@epa.gov>

**Subject:** RE: The New York Times' Seven Glaring Inaccuracies That's Fit To Print - Preview

Ex. 5 Deliberative Process (DP)

---

**From:** Woods, Andrea <[Woods.Andrea@epa.gov](mailto:Woods.Andrea@epa.gov)>

**Sent:** Tuesday, November 12, 2019 11:19 AM

**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>; Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>

**Cc:** Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Johnson, Taylor <[Johnson.Taylor.C@epa.gov](mailto:Johnson.Taylor.C@epa.gov)>; McFaul, Jessica <[mcfaul.jessica@epa.gov](mailto:mcfaul.jessica@epa.gov)>

**Subject:** RE: The New York Times' Seven Glaring Inaccuracies That's Fit To Print - Preview

Preview below:

## Ex. 5 Deliberative Process (DP)

# **Ex. 5 Deliberative Process (DP)**



# Ex. 5 Deliberative Process (DP)

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**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Tuesday, November 12, 2019 11:10 AM  
**To:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>  
**Cc:** Woods, Andrea <[Woods.Andrea@epa.gov](mailto:Woods.Andrea@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Johnson, Taylor <[Johnson.Taylor.C@epa.gov](mailto:Johnson.Taylor.C@epa.gov)>; McFaul, Jessica <[mcfaul.jessica@epa.gov](mailto:mcfaul.jessica@epa.gov)>  
**Subject:** RE: The New York Times' Seven Glaring Inaccuracies That's Fit To Print - Preview

Here is the final...Andrea or Michael...if you all want to upload in campaign monitor...we are holding until I say hit send. Sorry...need to get David on the phone with Brady and Puko first.

Thank you!!!

---

**From:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>  
**Sent:** Tuesday, November 12, 2019 11:02 AM  
**To:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>; Schwab, Justin <[Schwab.Justin@epa.gov](mailto:Schwab.Justin@epa.gov)>  
**Cc:** Woods, Andrea <[Woods.Andrea@epa.gov](mailto:Woods.Andrea@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Johnson, Taylor <[Johnson.Taylor.C@epa.gov](mailto:Johnson.Taylor.C@epa.gov)>; McFaul, Jessica <[mcfaul.jessica@epa.gov](mailto:mcfaul.jessica@epa.gov)>; Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Subject:** FW: The New York Times' Seven Glaring Inaccuracies That's Fit To Print - Preview

Here is the updated version, is everyone's edits incorporated?

---

**From:** EPA Press Office <[press@epa.gov](mailto:press@epa.gov)>  
**Sent:** Tuesday, November 12, 2019 11:01 AM  
**To:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>  
**Subject:** The New York Times' Seven Glaring Inaccuracies That's Fit To Print - Preview

## **Ex. 5 Deliberative Process (DP)**

## **Ex. 5 Deliberative Process (DP)**

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**From:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]  
**Sent:** 11/12/2019 3:10:57 PM  
**To:** Dunlap, David [dunlap.david@epa.gov]; Bolen, Brittany [bolen.brittany@epa.gov]; Jackson, Ryan [jackson.ryan@epa.gov]  
**CC:** Abboud, Michael [abboud.michael@epa.gov]; Leopold, Matt (OGC) [Leopold.Matt@epa.gov]; Block, Molly [block.molly@epa.gov]  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative  
**Attachments:** NYT rebuttal.docx

Please edit this version.

**Ex. 5 Deliberative Process (DP)**

Please see the red highlighted..

**Ex. 5 Deliberative Process (DP)**

Thank you!!!

---

**From:** Dunlap, David <dunlap.david@epa.gov>  
**Sent:** Tuesday, November 12, 2019 9:31 AM  
**To:** Bolen, Brittany <bolen.brittany@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

I started editing the version that Ryan sent around. I need to hop into a meeting for 30 and then I'll be back on line.

DDD

David D. Dunlap  
O – 202.564.6620

---

**From:** Bolen, Brittany <bolen.brittany@epa.gov>  
**Sent:** Tuesday, November 12, 2019 9:21 AM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Dunlap, David <dunlap.david@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

**Ex. 5 Deliberative Process (DP)**

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**From:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Sent:** Tuesday, November 12, 2019 9:18 AM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>; Dunlap, David <dunlap.david@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

David,

## Ex. 5 Deliberative Process (DP)

Thank you!

---

**From:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Sent:** Tuesday, November 12, 2019 9:00 AM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Dunlap, David <dunlap.david@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

Fantastic. Can you compare notes? Huge thanks for the rapid turn around. Let's get this to competitors.

---

**From:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Sent:** Tuesday, November 12, 2019 8:56 AM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>; Dunlap, David <dunlap.david@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

I pulled from what David did...please see attached...

---

**From:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Sent:** Tuesday, November 12, 2019 8:25 AM  
**To:** Dunlap, David <dunlap.david@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

This is hugely helpful.

---

**From:** Dunlap, David <dunlap.david@epa.gov>  
**Sent:** Monday, November 11, 2019 9:23 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

See attached for my comments on the Times article.

DDD

David D. Dunlap  
O – 202.564.6620

---

**From:** Dunlap, David  
**Sent:** Monday, November 11, 2019 9:22 PM  
**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

DDD

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 9:03 PM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

Thank you

---

**From:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Sent:** Monday, November 11, 2019 9:01 PM  
**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 8:44 PM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

---

**From:** Dunlap, David <dunlap.david@epa.gov>

**Sent:** Monday, November 11, 2019 8:35 PM

**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>

**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Block, Molly <block.molly@epa.gov>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

As promised. I am flexible and would appreciate your guidance.

DDD

Draft/Deliberative

Proposed Statement

# Ex. 5 Deliberative Process (DP)



# Ex. 5 Deliberative Process (DP)

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 7:59 PM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

Thank you. I will wait for your updated points. Thanks!

---

**From:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Sent:** Monday, November 11, 2019 7:56 PM  
**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

Corry,

# Ex. 5 Deliberative Process (DP)

I am working up some additional talking points.

DDD

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 7:22 PM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC)

<Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Block, Molly <block.molly@epa.gov>

**Subject:** Re: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

# Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Nov 11, 2019, at 6:50 PM, Dunlap, David <dunlap.david@epa.gov> wrote:

I am reviewing.

DDD

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>

**Sent:** Monday, November 11, 2019 6:04 PM

**To:** Abboud, Michael <abboud.michael@epa.gov>; Dunlap, David <dunlap.david@epa.gov>

**Cc:** Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>

**Subject:** Fwd: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

This just posted...

**Subject:** NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

<https://www.nytimes.com/2019/11/11/climate/epa-science-trump.html?smid=nytcore-ios-share>

Sent from my iPhone

**From:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]  
**Sent:** 11/12/2019 4:28:45 PM  
**To:** Puko, Tim [tim.puko@wsj.com]  
**CC:** Abboud, Michael [abboud.michael@epa.gov]  
**Subject:** Re: NYT gets it wrong

Ok...we will definitely come back to you after this goes through interagency review.

If you do decide to write on the inaccurate leaked documents, please let me know...as what the NYT has, is not what was sent.

Sent from my iPhone

On Nov 12, 2019, at 11:25 AM, Puko, Tim <tim.puko@wsj.com> wrote:

If we can't have what was drafted and sent to OMB, I don't think this is for us today.

That said, it's still a very interesting and important issue. Maybe we could talk more about it when it is a couple weeks away from being finalized? It would be good to have a sit-down with the people who drafted this to help explain what it does do -- when we have something to look at. I always think that's helpful, to see what's actually written in the proposal first, so I can do some homework first and then ask better questions.

Puko

On Tue, Nov 12, 2019 at 10:41 AM Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)> wrote:

Before we blast this out... would you like to talk to someone on Background...

## **NYT Gets it Completely Wrong**

**(WASHINGTON)** – The New York Times reporting in their story EPA to *Limit Science Used to Write Public Health Rules* has numerous errors and is based on leaked preliminary, draft documents, that the reporter links to that not accurate and do not include the final text submitted to the Office of Management and Budget (OMB) for interagency review.

On Friday, November 8, EPA delivered to OMB a draft supplemental federal register notice (FRN) to clarify, modify and supplement certain provisions included in the 2018 proposed Strengthening Transparency in Regulatory Science rule. The 2018 proposed rule solicited

comment on all aspects of the proposed rule. This supplemental FRN solicits comment only on the changes and additions to the proposed regulatory text discussed in this supplemental notice. The Agency still intends to issue a final rule in 2020. This final rule will take into account the comments received in response to both the 2018 proposed rule and this supplemental FRN as well as those submitted by the Science Advisory Board.

EPA recognizes that when it develops significant regulations using public resources, including regulations for which the public is likely to bear the cost of compliance, EPA should ensure that the data and models underlying scientific studies that are pivotal to the regulatory action are available for review and reanalysis. The “Strengthening Transparency in Regulatory Science” rulemaking is designed to increase transparency in the preparation, identification and use of science in rulemaking. When final, this action will ensure that the regulatory science underlying EPA’s actions are made available in a manner sufficient for independent validation.

EPA has not finalized this proposal but responds to the claims alleged as they are not an accurate account of where the proposal stands. **How the New York Times got it wrong:**

The reporter incorrectly reports that “unlike a proposal that surfaced in early 2018, this one could apply retroactively to public health regulations already in place.” **This is completely false.** The proposal and supplemental will not apply to any regulations already in place.

The reporter again says the proposal would apply retroactively to existing regulations, **which is completely false.** The supplemental (and the original proposal) allow studies like the Harvard Six City study to be used. The Agency has not rejected or otherwise eliminated that option in anyway in its original proposal or supplemental. In fact, the supplemental makes it even clearer that such studies must be properly considered and takes comment from the public on this issue.

Additionally, they report that this “would require scientists to disclose all of their raw data, including confidential medical records.” **This is not true.** In the originally proposed regulation and in this supplement, EPA maintains protecting confidential personal information just as other federal health agencies regularly do. The reporter clearly does not understand the terms in the context of science transparency.

**The story continues with more false information.** The reporter writes: “The measure would make it more difficult to enact new clean air and water rules...” **This is just wrong.** The reality is that the supplemental addresses this concern and clarifies points that were not entirely made clear in the original proposal. If the reporter had truly read the leaked draft she would have read a discussion of how scientists across the country have already approved methods to gain access to a study’s underlying data that contains personal information without revealing the identity of the individuals.

The article continues with more misleading and false information. The reporter writes: “The change is part of a broader administration effort to weaken the scientific underpinnings of policymaking.” **Science transparency does not weaken science, quite the contrary.** By requiring transparency, scientists will be required to publish hypothesis and experimental data for other scientists to review and discuss, requiring the science to withstand skepticism and peer review.

In fact, EPA currently has transparency rules in place for its intramural research and extramural grants. **Non-government funded research should also be subject to transparency requirements.** When finalized, the Science Transparency rule will ensure that all important studies underlying significant regulatory actions at the EPA, regardless of their source, are subject to a transparent review by qualified scientists.

The article continues with inaccurate information. The reporter writes: “The new version does not appear to have taken any of the opposition into consideration.” **This is just bad reporting. It is completely misleading, and lacks the understanding of the rule making process.** A supplemental to a proposed rule is not a ‘new’ rule and is not intended to address comments to a proposal. The public will have the ability to comment on the supplemental just as they did for the proposal. The final rule will address all comments.

Additionally, the reporter incorrectly states that: The politically appointed agency administrator would have wide-ranging discretion over which studies to accept or reject. **This is completely false.** The rule requires transparency but gives the EPA Administrator the discretion to use studies when information is not publicly available. However, this should be the exception instead of the way of EPA doing business.

The reporter again inaccurately reports on the meaning of “raw data.” The supplemental seeks public for comment on any changes to the scope. Once again, **the reporter confuses the situation by using “raw data,” which is clarified in the supplemental.**

In the first paragraph, they report that “the new rule would...” **This is not a new rule.** What was submitted to OMB is a supplemental to the 2018 proposed rule. In the next paragraph, they continue to misreport by calling this a “new draft.” Again, this is not a new rule, this is supplemental to the 2018 proposal.

And finally, the reporter writes: “Academics are not typically required to turn over private data when submitting studies for peer review...” The scientific community is increasingly interested

in increasing transparency in research. Several academic journals, including the Public Library of Science and the Annals of Internal Medicine already have a publication condition requiring authors to make their data available upon request and many institutions, including Yale and Harvard universities, are making strides in creating publicly accessible repositories of research and clinical data.

Corry Schiermeyer

Associate Administrator

Office of Public Affairs

Environmental Protection Agency

[Schiermeyer.corry@epa.gov](mailto:Schiermeyer.corry@epa.gov)

202-564-6782

--

Timothy Puko  
REPORTER, ENERGY POLICY

**THE WALL STREET JOURNAL.**

M: Ex. 6 Personal Privacy (PP) ☎: +1 202 862 6631

E: [tim.puko@wsj.com](mailto:tim.puko@wsj.com)

T: [@timpuko](https://twitter.com/timpuko)

A: 1025 Connecticut Ave. NW, Suite 800, Washington, DC 20036

 | **DOW JONES**

Message

---

**From:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]  
**Sent:** 11/11/2019 11:01:44 PM  
**To:** Friedman, Lisa [lisa.friedman@nytimes.com]  
**CC:** Abboud, Michael [abboud.michael@epa.gov]  
**Subject:** Re: hi everyone - just trying again

I just saw the story post...will let you know if we have any follow up.  
I don't find it necessary to have an out of office notice on well known federal holidays, overnight or weekends for that matter. You are DC based, I would think you would be well aware it's a federal holiday.

Sent from my iPhone

On Nov 11, 2019, at 5:40 PM, Friedman, Lisa <lisa.friedman@nytimes.com> wrote:

OK Corry thank you. I hope we can talk tomorrow. I am sorry to make you scramble late in the day - but I sent my email to the whole press staff and I never got an out-of-office reply. If I had some indication that no one was there today I absolutely would have reached out by phone earlier to make sure you had more time. Thank you again for working to get me a comment, I really appreciate it.

On Mon, Nov 11, 2019 at 5:34 PM Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)> wrote:  
Hello Lisa,

EPA spokesperson:

EPA is committed to science transparency and is working to finalize the supplemental in 2020. The agency does not discuss draft, deliberative documents or actions still under internal and interagency review.

Sent from my iPhone

On Nov 11, 2019, at 4:36 PM, Friedman, Lisa <[lisa.friedman@nytimes.com](mailto:lisa.friedman@nytimes.com)> wrote:

Yes, thank you. I used a healthy chunk of his comments up high in the story.

On Mon, Nov 11, 2019 at 4:34 PM Schiermeyer, Corry  
<[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)> wrote:

When I'm back at my computer I will see. I know he was clear on the importance of science transparency and on commented on the timing of the supplemental.

Sent from my iPhone

On Nov 11, 2019, at 4:23 PM, Friedman, Lisa  
<[lisa.friedman@nytimes.com](mailto:lisa.friedman@nytimes.com)> wrote:

I did - if there's something specific you want to point me toward that you think particularly speaks to EPA's thinking on this reg? I really do want to make sure I represent accurately the agency's position on this measure and why he thinks its important to put forward.

On Mon, Nov 11, 2019 at 4:17 PM Schiermeyer, Corry  
<[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)> wrote:

Did you also review the Administrator's testimony from the hearing in September before House Science committee? He makes some mention of the rule.

Sent from my iPhone

On Nov 11, 2019, at 4:02 PM, Friedman, Lisa  
<[lisa.friedman@nytimes.com](mailto:lisa.friedman@nytimes.com)> wrote:

many thanks

On Mon, Nov 11, 2019 at 4:00 PM Schiermeyer, Corry  
<[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)> wrote:  
I'm trying to track down some answers for you.

Sent from my iPhone

On Nov 11, 2019, at 3:56 PM,  
Friedman, Lisa  
<[lisa.friedman@nytimes.com](mailto:lisa.friedman@nytimes.com)>  
wrote:

That's absolutely not true, Corry,  
and I'm sorry you have that  
sense. I am working today and  
emailed you as soon as I read  
and assessed the documents I  
obtained. I then followed up  
twice when I didn't hear back.  
Happy to discuss over the phone  
as well.  
Best  
Lisa



On Mon, Nov 11, 2019 at 3:51  
PM Schiermeyer, Corry  
<[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>

wrote:

I find this highly irresponsible  
as it seems you have been  
working on this story for more  
than today and waited until a  
federal holiday to reach out to  
us.

Sent from my iPhone

On Nov 11,  
2019, at 3:48  
PM, Friedman,  
Lisa  
<[lisa.friedman@nytimes.com](mailto:lisa.friedman@nytimes.com)>  
wrote:

Hi Corry - you  
can have till  
COB today but  
we're going to  
put the story up  
sooner than that;  
I'll add EPA's  
comments  
if/when I get  
them.  
Lisa

On Mon, Nov  
11, 2019 at 3:38  
PM Schiermeyer,  
Corry  
<[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
wrote:

Hello Lisa,

Just seeing this  
as it is a Federal  
Holiday and we  
are closed. I am  
uncertain if I

can get anyone  
today.

Did you just get  
this info today?

Sent from my  
iPhone

> On Nov 11,  
2019, at 3:17  
PM, Friedman,  
Lisa

<[lisa.friedman@nytimes.com](mailto:lisa.friedman@nytimes.com)

> wrote:

>

>

> I sent a  
request this  
morning  
regarding the  
transparency in  
science  
supplemental  
but haven't  
heard back from  
anyone. I'm  
bearing down  
on deadline -- if  
you've got an  
ETA for me I'll  
tell my editors  
to hold off a bit  
but pls lmk.

>

> --

> Lisa  
Friedman  
> Reporter,  
New York  
Times

> (202) 862-  
0306 office

Ex. 6 Personal Privacy (PP)

>

--  
Lisa Friedman

Reporter, New  
York Times  
(202) 862-0306  
office  
Ex. 6 Personal Privacy (PP)  
cell

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Lisa Friedman  
Reporter, New York Times  
(202) 862-0306 office  
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Lisa Friedman  
Reporter, New York Times  
(202) 862-0306 office  
Ex. 6 Personal Privacy (PP) cell

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Lisa Friedman  
Reporter, New York Times  
(202) 862-0306 office

Ex. 6 Personal Privacy (PP) cell

Message

---

**From:** Dunlap, David [dunlap.david@epa.gov]  
**Sent:** 11/12/2019 2:30:47 PM  
**To:** Bolen, Brittany [bolen.brittany@epa.gov]; Schiermeyer, Corry [schiermeyer.corry@epa.gov]; Jackson, Ryan [jackson.ryan@epa.gov]  
**CC:** Abboud, Michael [abboud.michael@epa.gov]; Leopold, Matt (OGC) [Leopold.Matt@epa.gov]; Block, Molly [block.molly@epa.gov]  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative  
**Attachments:** RJ DDD edits.docx

I started editing the version that Ryan sent around. I need to hop into a meeting for 30 and then I'll be back on line.

DDD

David D. Dunlap  
O – 202.564.6620

---

**From:** Bolen, Brittany <bolen.brittany@epa.gov>  
**Sent:** Tuesday, November 12, 2019 9:21 AM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Dunlap, David <dunlap.david@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

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**From:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Sent:** Tuesday, November 12, 2019 9:18 AM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>; Dunlap, David <dunlap.david@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

David,

## Ex. 5 Deliberative Process (DP)

Thank you!

---

**From:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Sent:** Tuesday, November 12, 2019 9:00 AM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Dunlap, David <dunlap.david@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

Fantastic. Can you compare notes? Huge thanks for the rapid turn around. Let's get this to competitors.

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>

**Sent:** Tuesday, November 12, 2019 8:56 AM

**To:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>

**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

I pulled from what David did...please see attached...

---

**From:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>

**Sent:** Tuesday, November 12, 2019 8:25 AM

**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>; Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>

**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

This is hugely helpful.

---

**From:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>

**Sent:** Monday, November 11, 2019 9:23 PM

**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>

**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

See attached for my comments on the Times article.

DDD

David D. Dunlap

O – 202.564.6620

---

**From:** Dunlap, David

**Sent:** Monday, November 11, 2019 9:22 PM

**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>

**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

DDD

David D. Dunlap

O – 202.564.6620

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**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>

**Sent:** Monday, November 11, 2019 9:03 PM

**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>

**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

Thank you

---

**From:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>

**Sent:** Monday, November 11, 2019 9:01 PM

**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>

**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

David D. Dunlap

O – 202.564.6620

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**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>

**Sent:** Monday, November 11, 2019 8:44 PM

**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>

**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

Proposed Statement

## Ex. 5 Deliberative Process (DP)

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**From:** Dunlap, David <dunlap.david@epa.gov>

**Sent:** Monday, November 11, 2019 8:35 PM

**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>

**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Block, Molly <block.molly@epa.gov>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

As promised. I am flexible and would appreciate your guidance.

DDD

Draft/Deliberative

Proposed Statement

# Ex. 5 Deliberative Process (DP)

David D. Dunlap  
O – 202.564.6620

ED\_004046\_00000075-00004



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**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 7:59 PM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

Thank you. I will wait for your updated points. Thanks!

---

**From:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Sent:** Monday, November 11, 2019 7:56 PM  
**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

Corry,

## Ex. 5 Deliberative Process (DP)

I am working up some additional talking points.

DDD

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 7:22 PM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** Re: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

## Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Nov 11, 2019, at 6:50 PM, Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)> wrote:

I am reviewing.

DDD

David D. Dunlap  
O – 202.564.6620

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**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 6:04 PM  
**To:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>  
**Subject:** Fwd: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

**This just posted...**

**Subject: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules**

E.P.A. to Tighten Limits on Science Used to Write Public Health Rules  
<https://www.nytimes.com/2019/11/11/climate/epa-science-trump.html?smid=nytcore-ios-share>

Sent from my iPhone

**To:** Dunlap, David[dunlap.david@epa.gov]  
**Cc:** Abboud, Michael[abboud.michael@epa.gov]; Bolen, Brittany[bolen.brittany@epa.gov]; Leopold, Matt (OGC)[Leopold.Matt@epa.gov]; Fotouhi, David[Fotouhi.David@epa.gov]  
**From:** Schiermeyer, Corry  
**Sent:** Mon 11/11/2019 10:37:57 PM  
**Importance:** Normal  
**Subject:** Re: NYT request - EPA transparency reg  
**Received:** Mon 11/11/2019 10:38:01 PM

## Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Nov 11, 2019, at 5:00 PM, Dunlap, David <dunlap.david@epa.gov> wrote:

## Ex. 5 Deliberative Process (DP)

DDD

Sent from my iPhone

On Nov 11, 2019, at 4:47 PM, Schiermeyer, Corry <schiermeyer.corry@epa.gov> wrote:

I'm tweaking this:

## Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Nov 11, 2019, at 4:39 PM, schiermeyer.corry@epa.gov wrote:

## Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Nov 11, 2019, at 4:33 PM, Abboud, Michael  
<abboud.michael@epa.gov> wrote:

## Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Nov 11, 2019, at 4:13 PM, Schiermeyer, Corry  
<schiermeyer.corry@epa.gov> wrote:

Adding David

Sent from my iPhone

On Nov 11, 2019, at 3:53 PM,  
schiermeyer.corry@epa.gov wrote:

## Ex. 5 Deliberative Process (DP)

Sent from my iPhone

Begin forwarded message:

**From:** "Friedman, Lisa"  
<lisa.friedman@nytimes.com>  
**Date:** November 11, 2019 at 11:10:59 AM EST  
**To:** "Abboud, Michael" <abboud.michael@epa.gov>, Press <Press@epa.gov>  
**Subject:** NYT request - EPA transparency reg

Hi Michael,  
I'm doing a story today on EPA's supplemental science transparency regulation. Our story will refer to a draft of the supplemental that I am told by several sources is close to being sent to OMB for review. The draft indicates EPA is A) changing the legal justification of the measure to a federal housekeeping statute B) expanding the scope of the

measure in several ways including having it apply to all data and models instead of only dose-response data/models and also taking comment on applying retroactively. Finally, I'm aware of an older supplemental in which an option that some staff considered more moderate was removed.

Could someone today speak with me on this? Specifically I'm hoping EPA can explain the new legal justification to me, and offer me some comments/thoughts about why the scope of the transparency measure has been expanded. Finally looking back at one of my interviews with Mr. Wheeler he was pretty clear that this would not apply retroactively, so I'm also interested in EPA's reasoning behind now seeking comments for doing so and what the scientific benefits of such a move would be.

If I can speak to someone by 3 p.m. I'd be appreciative. If you need more time, though, just let me know -- and of course I'm available on my cell to talk 202-251-2083. Best,

Lisa

--  
Lisa Friedman  
Reporter, New York Times  
(202) 862-0306 office  
Ex. 6 Personal Privacy (PP) cell

Message

---

**From:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]  
**Sent:** 11/12/2019 4:11:11 PM  
**To:** Dennis, Brady [Brady.Dennis@washpost.com]; Eilperin, Juliet [Juliet.Eilperin@washpost.com]  
**CC:** Abboud, Michael [abboud.michael@epa.gov]  
**Subject:** RE: NYT gets it wrong

What is the best number to call you on...and we will call you...

---

**From:** Dennis, Brady <Brady.Dennis@washpost.com>  
**Sent:** Tuesday, November 12, 2019 11:06 AM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Eilperin, Juliet <Juliet.Eilperin@washpost.com>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>  
**Subject:** RE: NYT gets it wrong

Thanks, Corry. I'm happy to hop on to speak with someone on background if possible. And then we will just see whether we can tackle it today, given the difficulty in not having the actual updated document.

Just let me know if there's a time that works. Thanks...

-Brady

---

**From:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Sent:** Tuesday, November 12, 2019 10:53 AM  
**To:** Eilperin, Juliet <Juliet.Eilperin@washpost.com>; Dennis, Brady <Brady.Dennis@washpost.com>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>  
**Subject:** RE: NYT gets it wrong

Hey Juliet,

The soonest it will be available is following the interagency review. As with any with any rulemaking, including proposals and supplementals, EPA is bound by applicable laws, including the Administrative Procedure Act and EO 12866.

---

**From:** Eilperin, Juliet <Juliet.Eilperin@washpost.com>  
**Sent:** Tuesday, November 12, 2019 10:44 AM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Dennis, Brady <Brady.Dennis@washpost.com>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>  
**Subject:** RE: NYT gets it wrong

Hey Corry, thanks for this. One of us would certainly be free to talk on background, but we really need to see a document so we can read it for ourselves. Can you do that? We want to write about the substance of the supplemental, rather than just the back and forth on it.

Best, Juliet

---

**From:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Sent:** Tuesday, November 12, 2019 10:42 AM  
**To:** Eilperin, Juliet <Juliet.Eilperin@washpost.com>; Dennis, Brady <Brady.Dennis@washpost.com>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>  
**Subject:** NYT gets it wrong

Before we blast this out...would you like to talk to someone on Background...

## NYT Gets it Completely Wrong

**(WASHINGTON)** – The New York Times reporting in their story EPA to *Limit Science Used to Write Public Health Rules* has numerous errors and is based on leaked preliminary, draft documents, that the reporter links to that not accurate and do not include the final text submitted to the Office of Management and Budget (OMB) for interagency review.

On Friday, November 8, EPA delivered to OMB a draft supplemental federal register notice (FRN) to clarify, modify and supplement certain provisions included in the 2018 proposed Strengthening Transparency in Regulatory Science rule. The 2018 proposed rule solicited comment on all aspects of the proposed rule. This supplemental FRN solicits comment only on the changes and additions to the proposed regulatory text discussed in this supplemental notice. The Agency still intends to issue a final rule in 2020. This final rule will take into account the comments received in response to both the 2018 proposed rule and this supplemental FRN as well as those submitted by the Science Advisory Board.

EPA recognizes that when it develops significant regulations using public resources, including regulations for which the public is likely to bear the cost of compliance, EPA should ensure that the data and models underlying scientific studies that are pivotal to the regulatory action are available for review and reanalysis. The “Strengthening Transparency in Regulatory Science” rulemaking is designed to increase transparency in the preparation, identification and use of science in rulemaking. When final, this action will ensure that the regulatory science underlying EPA’s actions are made available in a manner sufficient for independent validation.

EPA has not finalized this proposal but responds to the claims alleged as they are not an accurate account of where the proposal stands. **How the New York Times got it wrong:**

The reporter incorrectly reports that “unlike a proposal that surfaced in early 2018, this one could apply retroactively to public health regulations already in place.” **This is completely false.** The proposal and supplemental will not apply to any regulations already in place.

The reporter again says the proposal would apply retroactively to existing regulations, **which is completely false.** The supplemental (and the original proposal) allow studies like the Harvard Six City study to be used. The Agency has not rejected or otherwise eliminated that option in anyway in its original proposal or supplemental. In fact, the supplemental makes it even clearer that such studies must be properly considered and takes comment from the public on this issue.

Additionally, they report that this “would require scientists to disclose all of their raw data, including confidential medical records.” **This is not true.** In the originally proposed regulation and in this supplement, EPA maintains protecting confidential personal information just as other federal health agencies regularly do. The reporter clearly does not understand the terms in the context of science transparency.

**The story continues with more false information.** The reporter writes: “The measure would make it more difficult to enact new clean air and water rules...” **This is just wrong.** The reality is that the supplemental addresses this concern and clarifies points that were not entirely made clear in the original proposal. If the reporter had truly read the leaked draft she would have read a discussion of how scientists across the country

have already approved methods to gain access to a study's underlying data that contains personal information without revealing the identity of the individuals.

The article continues with more misleading and false information. The reporter writes: "The change is part of a broader administration effort to weaken the scientific underpinnings of policymaking." **Science transparency does not weaken science, quite the contrary.** By requiring transparency, scientists will be required to publish hypothesis and experimental data for other scientists to review and discuss, requiring the science to withstand skepticism and peer review.

In fact, EPA currently has transparency rules in place for its intramural research and extramural grants. **Non-government funded research should also be subject to transparency requirements.** When finalized, the Science Transparency rule will ensure that all important studies underlying significant regulatory actions at the EPA, regardless of their source, are subject to a transparent review by qualified scientists.

The article continues with inaccurate information. The reporter writes: "The new version does not appear to have taken any of the opposition into consideration." **This is just bad reporting. It is completely misleading, and lacks the understanding of the rule making process.** A supplemental to a proposed rule is not a 'new' rule and is not intended to address comments to a proposal. The public will have the ability to comment on the supplemental just as they did for the proposal. The final rule will address all comments.

Additionally, the reporter incorrectly states that: The politically appointed agency administrator would have wide-ranging discretion over which studies to accept or reject. **This is completely false.** The rule requires transparency but gives the EPA Administrator the discretion to use studies when information is not publicly available. However, this should be the exception instead of the way of EPA doing business.

The reporter again inaccurately reports on the meaning of "raw data." The supplemental seeks public comment on any changes to the scope. Once again, **the reporter confuses the situation by using "raw data," which is clarified in the supplemental.**

In the first paragraph, they report that "the new rule would..." **This is not a new rule.** What was submitted to OMB is a supplemental to the 2018 proposed rule. In the next paragraph, they continue to misreport by calling this a "new draft." Again, this is not a new rule, this is supplemental to the 2018 proposal.

And finally, the reporter writes: "Academics are not typically required to turn over private data when submitting studies for peer review..." The scientific community is increasingly interested in increasing transparency in research. Several academic journals, including the Public Library of Science and the Annals of Internal Medicine already have a publication condition requiring authors to make their data available upon request and many institutions, including Yale and Harvard universities, are making strides in creating publicly accessible repositories of research and clinical data.

Corry Schiermeyer  
Associate Administrator  
Office of Public Affairs  
Environmental Protection Agency  
[Schiermeyer.corry@epa.gov](mailto:Schiermeyer.corry@epa.gov)  
202-564-6782



Message

---

**From:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]  
**Sent:** 11/12/2019 2:17:54 PM  
**To:** Jackson, Ryan [jackson.ryan@epa.gov]; Dunlap, David [dunlap.david@epa.gov]  
**CC:** Abboud, Michael [abboud.michael@epa.gov]; Bolen, Brittany [bolen.brittany@epa.gov]; Leopold, Matt (OGC) [Leopold.Matt@epa.gov]; Block, Molly [block.molly@epa.gov]  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative  
**Attachments:** NYT rebuttal.docx

David,

## Ex. 5 Deliberative Process (DP)

Thank you!

---

**From:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Sent:** Tuesday, November 12, 2019 9:00 AM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Dunlap, David <dunlap.david@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

Fantastic. Can you compare notes? Huge thanks for the rapid turn around. Let's get this to competitors.

---

**From:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Sent:** Tuesday, November 12, 2019 8:56 AM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>; Dunlap, David <dunlap.david@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

I pulled from what David did...please see attached...

---

**From:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Sent:** Tuesday, November 12, 2019 8:25 AM  
**To:** Dunlap, David <dunlap.david@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

This is hugely helpful.

---

**From:** Dunlap, David <dunlap.david@epa.gov>  
**Sent:** Monday, November 11, 2019 9:23 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC)

<Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Block, Molly <block.molly@epa.gov>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

See attached for my comments on the Times article.

DDD

David D. Dunlap  
O – 202.564.6620

---

**From:** Dunlap, David

**Sent:** Monday, November 11, 2019 9:22 PM

**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>

**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Block, Molly <block.molly@epa.gov>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

DDD

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>

**Sent:** Monday, November 11, 2019 9:03 PM

**To:** Dunlap, David <dunlap.david@epa.gov>

**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Block, Molly <block.molly@epa.gov>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

Thank you

---

**From:** Dunlap, David <dunlap.david@epa.gov>

**Sent:** Monday, November 11, 2019 9:01 PM

**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>

**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Block, Molly <block.molly@epa.gov>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>

**Sent:** Monday, November 11, 2019 8:44 PM

**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>

**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

Proposed Statement

## Ex. 5 Deliberative Process (DP)

---

**From:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>

**Sent:** Monday, November 11, 2019 8:35 PM

**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>

**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

As promised. I am flexible and would appreciate your guidance.

DDD

Draft/Deliberative

Proposed Statement

## Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 7:59 PM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

Thank you. I will wait for your updated points. Thanks!

---

**From:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Sent:** Monday, November 11, 2019 7:56 PM  
**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

Corry,

# Ex. 5 Deliberative Process (DP)

I am working up some additional talking points.

DDD

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 7:22 PM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** Re: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

## Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Nov 11, 2019, at 6:50 PM, Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)> wrote:

I am reviewing.

DDD

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 6:04 PM  
**To:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>  
**Subject:** Fwd: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

This just posted...

**Subject:** NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

E.P.A. to Tighten Limits on Science Used to Write Public Health Rules  
<https://www.nytimes.com/2019/11/11/climate/epa-science-trump.html?smid=nytcore-ios-share>

Sent from my iPhone

Message

---

**From:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]  
**Sent:** 11/12/2019 4:10:26 PM  
**To:** Abboud, Michael [abboud.michael@epa.gov]  
**CC:** Woods, Andrea [Woods.Andrea@epa.gov]; Block, Molly [block.molly@epa.gov]; Johnson, Taylor [Johnson.Taylor.C@epa.gov]; McFaul, Jessica [mcfaul.jessica@epa.gov]  
**Subject:** RE: The New York Times' Seven Glaring Inaccuracies That's Fit To Print - Preview  
**Attachments:** NYT rebuttal.docx

Here is the final...Andrea or Michael...if you all want to upload in campaign monitor...we are holding until I say hit send. Sorry...need to get David on the phone with Brady and Puko first.

Thank you!!!

---

**From:** Abboud, Michael <abboud.michael@epa.gov>  
**Sent:** Tuesday, November 12, 2019 11:02 AM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Dunlap, David <dunlap.david@epa.gov>; Schwab, Justin <Schwab.Justin@epa.gov>  
**Cc:** Woods, Andrea <Woods.Andrea@epa.gov>; Block, Molly <block.molly@epa.gov>; Johnson, Taylor <Johnson.Taylor.C@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Subject:** FW: The New York Times' Seven Glaring Inaccuracies That's Fit To Print - Preview

Here is the updated version, is everyone's edits incorporated?

---

**From:** EPA Press Office <press@epa.gov>  
**Sent:** Tuesday, November 12, 2019 11:01 AM  
**To:** Abboud, Michael <abboud.michael@epa.gov>  
**Subject:** The New York Times' Seven Glaring Inaccuracies That's Fit To Print - Preview



## Ex. 5 Deliberative Process (DP)

# **Ex. 5 Deliberative Process (DP)**

# **Ex. 5 Deliberative Process (DP)**



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Washington, D.C. 20004

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Message

---

**From:** Jackson, Ryan [jackson.ryan@epa.gov]  
**Sent:** 11/12/2019 4:03:56 PM  
**To:** Bolen, Brittany [bolen.brittany@epa.gov]; Block, Molly [block.molly@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]  
**CC:** Schwab, Justin [Schwab.Justin@epa.gov]; Leopold, Matt (OGC) [Leopold.Matt@epa.gov]; Schiermeyer, Corry [schiermeyer.corry@epa.gov]; Dunlap, David [dunlap.david@epa.gov]; Jones, Lindsey [jones.lindsey@epa.gov]  
**Subject:** RE: additional thought

## Ex. 5 AC/DP

Thank you all for your help. We have to go.

---

**From:** Bolen, Brittany <bolen.brittany@epa.gov>  
**Sent:** Tuesday, November 12, 2019 11:03 AM  
**To:** Block, Molly <block.molly@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>  
**Cc:** Schwab, Justin <Schwab.Justin@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Dunlap, David <dunlap.david@epa.gov>; Jones, Lindsey <jones.lindsey@epa.gov>  
**Subject:** additional thought

## Ex. 5 Deliberative Process (DP)

---

**From:** Block, Molly <block.molly@epa.gov>  
**Sent:** Tuesday, November 12, 2019 10:23 AM  
**To:** Abboud, Michael <abboud.michael@epa.gov>  
**Cc:** Schwab, Justin <Schwab.Justin@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Dunlap, David <dunlap.david@epa.gov>; Jones, Lindsey <jones.lindsey@epa.gov>  
**Subject:** Re: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

We'll send around a preview in a min.

Molly

Sent from my iPad

On Nov 12, 2019, at 10:22 AM, Abboud, Michael <abboud.michael@epa.gov> wrote:

We will fix it.

Sent from my iPhone

On Nov 12, 2019, at 10:22 AM, Schwab, Justin <Schwab.Justin@epa.gov> wrote:

## Ex. 5 Deliberative Process (DP)

---

**From:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Sent:** Tuesday, November 12, 2019 10:22 AM  
**To:** Schwab, Justin <Schwab.Justin@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>  
**Cc:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Dunlap, David <dunlap.david@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>; Jones, Lindsey <jones.lindsey@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

### Ex. 5 Deliberative Process (DP)

---

**From:** Schwab, Justin <Schwab.Justin@epa.gov>  
**Sent:** Tuesday, November 12, 2019 10:21 AM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>  
**Cc:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Dunlap, David <dunlap.david@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>; Jones, Lindsey <jones.lindsey@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

Please find attached.

---

**From:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Sent:** Tuesday, November 12, 2019 10:00 AM  
**To:** Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>  
**Cc:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Dunlap, David <dunlap.david@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>; Schwab, Justin <Schwab.Justin@epa.gov>; Jones, Lindsey <jones.lindsey@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative  
**Importance:** High

Perfect.

### Ex. 5 Deliberative Process (DP)

Corry, come in when you are free.

---

**From:** Bolen, Brittany <bolen.brittany@epa.gov>  
**Sent:** Tuesday, November 12, 2019 9:53 AM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>  
**Cc:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Dunlap, David <dunlap.david@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>; Schwab, Justin <Schwab.Justin@epa.gov>; Jones, Lindsey <jones.lindsey@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

---

**From:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>

**Sent:** Tuesday, November 12, 2019 9:32 AM

**To:** Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>

**Cc:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>; Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>; Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>; Schwab, Justin <[Schwab.Justin@epa.gov](mailto:Schwab.Justin@epa.gov)>

**Subject:** Re: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

Perfect.

Ryan Jackson  
Chief of Staff  
U.S. EPA

Ex. 6 Personal Privacy (PP)

On Nov 12, 2019, at 9:30 AM, Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)> wrote:

## Ex. 5 AC/DP

**Matthew Z. Leopold**  
General Counsel  
U.S. Environmental Protection Agency  
(202) 564-8040

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Tuesday, November 12, 2019 9:18 AM  
**To:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

David,

# Ex. 5 AC/DP

Thank you!

---

**From:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>  
**Sent:** Tuesday, November 12, 2019 9:00 AM  
**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>; Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

Fantastic. Can you compare notes? Huge thanks for the rapid turn around. Let's get this to competitors.

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Tuesday, November 12, 2019 8:56 AM  
**To:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

I pulled from what David did...please see attached...

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**From:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Sent:** Tuesday, November 12, 2019 8:25 AM  
**To:** Dunlap, David <dunlap.david@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

This is hugely helpful.

---

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**Sent:** Monday, November 11, 2019 9:23 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

See attached for my comments on the Times article.

DDD

David D. Dunlap  
O – 202.564.6620

---

**From:** Dunlap, David  
**Sent:** Monday, November 11, 2019 9:22 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

DDD

David D. Dunlap  
O – 202.564.6620

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**From:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Sent:** Monday, November 11, 2019 9:03 PM  
**To:** Dunlap, David <dunlap.david@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany

<bolen.brittany@epa.gov>; Leopold, Matt (OGC)  
<Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>;  
Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write  
Public Health Rules - Draft/Deliberative

Thank you

---

**From:** Dunlap, David <dunlap.david@epa.gov>  
**Sent:** Monday, November 11, 2019 9:01 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany  
<bolen.brittany@epa.gov>; Leopold, Matt (OGC)  
<Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>;  
Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write  
Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Sent:** Monday, November 11, 2019 8:44 PM  
**To:** Dunlap, David <dunlap.david@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany  
<bolen.brittany@epa.gov>; Leopold, Matt (OGC)  
<Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>;  
Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write  
Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

Proposed Statement

## Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

**From:** Dunlap, David <dunlap.david@epa.gov>  
**Sent:** Monday, November 11, 2019 8:35 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

As promised. I am flexible and would appreciate your guidance.

DDD

Draft/Deliberative

Proposed Statement

## Ex. 5 Deliberative Process (DP)



## Ex. 5 Deliberative Process (DP)

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 7:59 PM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

Thank you. I will wait for your updated points. Thanks!

---

**From:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Sent:** Monday, November 11, 2019 7:56 PM  
**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>;

Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

Corry,

## Ex. 5 Deliberative Process (DP)

I am working up some additional talking points.

DDD

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>

**Sent:** Monday, November 11, 2019 7:22 PM

**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>

**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC)

<[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>;

Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>

**Subject:** Re: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

## Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Nov 11, 2019, at 6:50 PM, Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)> wrote:

I am reviewing.

DDD

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry

<[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>

**Sent:** Monday, November 11, 2019 6:04 PM

**To:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>;  
Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold,  
Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan  
<[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>  
**Subject:** Fwd: NYTimes: E.P.A. to Tighten Limits on  
Science Used to Write Public Health Rules

**This just posted...**

**Subject: NYTimes: E.P.A. to Tighten Limits on Science  
Used to Write Public Health Rules**

E.P.A. to Tighten Limits on Science Used  
to Write Public Health Rules  
[https://www.nytimes.com/2019/11/11/  
/climate/epa-science-  
trump.html?smid=nytcore-ios-share](https://www.nytimes.com/2019/11/11/climate/epa-science-trump.html?smid=nytcore-ios-share)

Sent from my iPhone

Message

---

**From:** Friedman, Lisa [lisa.friedman@nytimes.com]  
**Sent:** 11/11/2019 7:53:55 PM  
**To:** Abboud, Michael [abboud.michael@epa.gov]  
**Subject:** hey there - you got my email from this morning right?

--

Lisa Friedman  
Reporter, New York Times  
(202) 862-0306 office

Ex. 6 Personal Privacy (PP) cell

Message

---

**From:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]  
**Sent:** 11/12/2019 3:59:21 PM  
**To:** Woods, Andrea [Woods.Andrea@epa.gov]; Block, Molly [block.molly@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]  
**Subject:** RE: transparency rule

Please have someone keep a list...in the mean time, send her this:

We will have more, soon...but in the interim:

### **EPA Spokesperson:**

The New York Times reporting has numerous errors and is based on a leaked preliminary, draft version of the Supplemental, not the actual text submitted to OMB.

On Friday, November 8, EPA delivered to OMB a draft supplemental federal register notice (FRN) to clarify, modify and supplement certain provisions included in the 2018 proposed Strengthening Transparency in Regulatory Science rule. The 2018 proposed rule solicited comment on all aspects of the proposed rule. This supplemental FRN solicits comment only on the changes and additions to the proposed regulatory text discussed in this supplemental notice. The Agency still intends to issue a final rule in 2020. This final rule will take into account the comments received in response to both the 2018 proposed rule and this supplemental FRN as well as those submitted by the Science Advisory Board.

---

**From:** Woods, Andrea <Woods.Andrea@epa.gov>  
**Sent:** Tuesday, November 12, 2019 10:58 AM  
**To:** Block, Molly <block.molly@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Subject:** FW: transparency rule

FYI – she sent to the wrong press email. Are we keeping a list of people who have asked for our statement on this? If not, I can start one.

---

**From:** Kelsey Brugger <kbrugger@eenews.net>  
**Sent:** Tuesday, November 12, 2019 10:56 AM  
**To:** Woods, Andrea <Woods.Andrea@epa.gov>  
**Cc:** [epa@press.gov](mailto:epa@press.gov)  
**Subject:** transparency rule

Hi Andrea:

It's Kelsey Brugger with E&E News. We are running a story this afternoon about the leaked EPA supplemental notice. Where is it in the process? Any comment on it?

Unfortunately I' on a tight deadline --- by 12pm today.

Let me know.

Thanks,

Kelsey

Kelsey Brugger  
E&E News reporter  
202-446-0460 (desk)  

Ex. 6 Personal Privacy (PP)

 (cell)  
@kelseybrugger

**E&E NEWS**

122 C Street NW 7th Floor Washington, DC 20001  
[www.eenews.net](http://www.eenews.net) | [@EENewsUpdates](https://twitter.com/EENewsUpdates)  
Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

Message

---

**From:** Jackson, Ryan [jackson.ryan@epa.gov]  
**Sent:** 11/12/2019 1:59:48 PM  
**To:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]; Dunlap, David [dunlap.david@epa.gov]  
**CC:** Abboud, Michael [abboud.michael@epa.gov]; Bolen, Brittany [bolen.brittany@epa.gov]; Leopold, Matt (OGC) [Leopold.Matt@epa.gov]; Block, Molly [block.molly@epa.gov]  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative  
**Attachments:** NYT rebuttal.docx; RJ edits.docx

Fantastic. Can you compare notes? Huge thanks for the rapid turn around. Let's get this to competitors.

---

**From:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Sent:** Tuesday, November 12, 2019 8:56 AM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>; Dunlap, David <dunlap.david@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Block, Molly <block.molly@epa.gov>  
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I pulled from what David did...please see attached...

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**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

This is hugely helpful.

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**From:** Dunlap, David <dunlap.david@epa.gov>  
**Sent:** Monday, November 11, 2019 9:23 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

See attached for my comments on the Times article.

DDD

David D. Dunlap  
O – 202.564.6620

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**From:** Dunlap, David  
**Sent:** Monday, November 11, 2019 9:22 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

DDD

David D. Dunlap  
O – 202.564.6620

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**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 9:03 PM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

Thank you

---

**From:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Sent:** Monday, November 11, 2019 9:01 PM  
**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

David D. Dunlap  
O – 202.564.6620

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**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 8:44 PM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

Proposed Statement

## Ex. 5 Deliberative Process (DP)



# Ex. 5 Deliberative Process (DP)

**From:** Dunlap, David <dunlap.david@epa.gov>

**Sent:** Monday, November 11, 2019 8:35 PM

**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>

**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Block, Molly <block.molly@epa.gov>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

As promised. I am flexible and would appreciate your guidance.

DDD

Draft/Deliberative

Proposed Statement

# Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 7:59 PM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

Thank you. I will wait for your updated points. Thanks!

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**From:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Sent:** Monday, November 11, 2019 7:56 PM  
**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

Corry,

## Ex. 5 Deliberative Process (DP)

I am working up some additional talking points.

DDD

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 7:22 PM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** Re: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

## Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Nov 11, 2019, at 6:50 PM, Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)> wrote:

I am reviewing.

DDD

David D. Dunlap  
O – 202.564.6620

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**Sent:** Monday, November 11, 2019 6:04 PM  
**To:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>  
**Subject:** Fwd: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

**This just posted...**

**Subject: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules**

E.P.A. to Tighten Limits on Science Used to Write Public Health Rules  
<https://www.nytimes.com/2019/11/11/climate/epa-science-trump.html?smid=nytcore-ios-share>

Sent from my iPhone

Message

---

**From:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]  
**Sent:** 11/12/2019 1:53:43 PM  
**To:** Abboud, Michael [abboud.michael@epa.gov]; Block, Molly [block.molly@epa.gov]; McFaul, Jessica [mcfaul.jessica@epa.gov]; Woods, Andrea [Woods.Andrea@epa.gov]  
**Subject:** RE: From WashPost

Send this...let him know more may be coming...

## EPA Spokesperson:

The New York Times reporting has numerous errors and is based on a leaked preliminary, draft version of the Supplemental, not the actual text submitted to OMB.

On Friday, November 8, EPA delivered to OMB a draft supplemental federal register notice (FRN) to clarify, modify and supplement certain provisions included in the 2018 proposed Strengthening Transparency in Regulatory Science rule. The 2018 proposed rule solicited comment on all aspects of the proposed rule. This supplemental FRN solicits comment only on the changes and additions to the proposed regulatory text discussed in this supplemental notice. The Agency still intends to issue a final rule in 2020. This final rule will take into account the comments received in response to both the 2018 proposed rule and this supplemental FRN as well as those submitted by the Science Advisory Board.

---

**From:** Abboud, Michael <abboud.michael@epa.gov>  
**Sent:** Tuesday, November 12, 2019 8:49 AM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Block, Molly <block.molly@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Woods, Andrea <Woods.Andrea@epa.gov>  
**Subject:** Fwd: From WashPost

### Ex. 5 Deliberative Process (DP)

Sent from my iPhone

Begin forwarded message:

**From:** "Stromberg, Stephen" <[Stephen.Stromberg@washpost.com](mailto:Stephen.Stromberg@washpost.com)>  
**Date:** November 12, 2019 at 7:16:22 AM EST  
**To:** "Abboud, Michael" <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>  
**Subject:** From WashPost

Hi Michael —

Steve Stromberg with the Post editorial board here. I'm writing today on EPA's new policy on admissible research. What is the administration's response to the fact that the policy would neuter EPA's ability to regulate pollutants long understood to be harmful? To exclude vast quantities of key research that relies on confidential medical information seems to cross the line from caution to willful blindness, no?

Thanks.

Best,  
Steve

Stephen Stromberg  
Office: 202.334.6370  
Cell: Ex. 6 Personal Privacy (PP)

Message

---

**From:** Jackson, Ryan [jackson.ryan@epa.gov]  
**Sent:** 11/12/2019 4:17:51 AM  
**To:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]; Block, Molly [block.molly@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]  
**CC:** Bolen, Brittany [bolen.brittany@epa.gov]  
**Subject:** Fwd: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative  
**Attachments:** Times article.docx; ATT00001.htm

## Ex. 5 Deliberative Process (DP)

Sent from my iPad

Begin forwarded message:

**From:** "Dunlap, David" <dunlap.david@epa.gov>  
**Date:** November 11, 2019 at 9:22:49 PM EST  
**To:** "Schiermeyer, Corry" <schiermeyer.corry@epa.gov>  
**Cc:** "Abboud, Michael" <abboud.michael@epa.gov>, "Bolen, Brittany" <bolen.brittany@epa.gov>, "Leopold, Matt (OGC)" <Leopold.Matt@epa.gov>, "Jackson, Ryan" <jackson.ryan@epa.gov>, "Block, Molly" <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

See attached for my comments on the Times article.

DDD

David D. Dunlap  
O – 202.564.6620

---

**From:** Dunlap, David  
**Sent:** Monday, November 11, 2019 9:22 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

DDD

David D. Dunlap  
O – 202.564.6620

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**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 9:03 PM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

Thank you

---

**From:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Sent:** Monday, November 11, 2019 9:01 PM  
**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

David D. Dunlap  
O – 202.564.6620

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**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 8:44 PM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

Proposed Statement

## Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

**From:** Dunlap, David <dunlap.david@epa.gov>

**Sent:** Monday, November 11, 2019 8:35 PM

**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>

**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Block, Molly <block.molly@epa.gov>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

As promised. I am flexible and would appreciate your guidance.

DDD

Draft/Deliberative

Proposed Statement

# Ex. 5 Deliberative Process (DP)



## Ex. 5 Deliberative Process (DP)

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 7:59 PM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

Thank you. I will wait for your updated points. Thanks!

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**Sent:** Monday, November 11, 2019 7:56 PM  
**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
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## Ex. 5 Deliberative Process (DP)

I am working up some additional talking points.

DDD

David D. Dunlap  
O – 202.564.6620

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**Sent:** Monday, November 11, 2019 7:22 PM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly

<block.molly@epa.gov>

**Subject:** Re: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

## Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Nov 11, 2019, at 6:50 PM, Dunlap, David <dunlap.david@epa.gov> wrote:

I am reviewing.

DDD

David D. Dunlap  
O – 202.564.6620

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**From:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Sent:** Monday, November 11, 2019 6:04 PM  
**To:** Abboud, Michael <abboud.michael@epa.gov>; Dunlap, David <dunlap.david@epa.gov>  
**Cc:** Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>  
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E.P.A. to Tighten Limits on Science Used to Write Public Health Rules  
<https://www.nytimes.com/2019/11/11/climate/epa-science-trump.html?smid=nytcore-ios-share>

Sent from my iPhone

Message

---

**From:** Jackson, Ryan [jackson.ryan@epa.gov]  
**Sent:** 11/12/2019 4:04:05 AM  
**To:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]  
**CC:** Dunlap, David [dunlap.david@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Bolen, Brittany [bolen.brittany@epa.gov]; Leopold, Matt (OGC) [Leopold.Matt@epa.gov]; Block, Molly [block.molly@epa.gov]; adm15.arwheeler.email [adm15.arwheeler.email@epa.gov]  
**Subject:** Re: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

Ryan Jackson  
Chief of Staff  
U.S. EPA

Ex. 6 Personal Privacy (PP)

On Nov 11, 2019, at 8:44 PM, Schiermeyer, Corry <schiermeyer.corry@epa.gov> wrote:

## Ex. 5 Deliberative Process (DP)

Proposed Statement

## Ex. 5 Deliberative Process (DP)

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**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
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Draft/Deliberative

Proposed Statement

## Ex. 5 Deliberative Process (DP)

David D. Dunlap

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**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

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**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

Corry,

## Ex. 5 Deliberative Process (DP)

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DDD

David D. Dunlap  
O – 202.564.6620

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**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 7:22 PM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** Re: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

## Ex. 5 Deliberative Process (DP)

Sent from my iPhone

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I am reviewing.

DDD

David D. Dunlap  
O – 202.564.6620

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**Sent:** Monday, November 11, 2019 6:04 PM  
**To:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>  
**Subject:** Fwd: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

**This just posted...**

**Subject: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules**

E.P.A. to Tighten Limits on Science Used to Write Public Health Rules  
<https://www.nytimes.com/2019/11/11/climate/epa-science-trump.html?smid=nytcore-ios-share>

Sent from my iPhone

Message

---

**From:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]  
**Sent:** 11/12/2019 2:06:58 AM  
**To:** Miranda Green [mgreen@thehill.com]  
**CC:** Abboud, Michael [abboud.michael@epa.gov]; Block, Molly [block.molly@epa.gov]  
**Subject:** RE: Comment on Nytimes piece

We will probably have more tomorrow...but for now:

**EPA Spokesperson:**

The New York Times reporting has numerous errors and is based on a leaked preliminary, draft version of the Supplemental, not the actual text submitted to OMB.

On Friday, November 8, EPA delivered to OMB a draft supplemental federal register notice (FRN) to clarify, modify and supplement certain provisions included in the 2018 proposed Strengthening Transparency in Regulatory Science rule. The 2018 proposed rule solicited comment on all aspects of the proposed rule. This supplemental FRN solicits comment only on the changes and additions to the proposed regulatory text discussed in this supplemental notice. The Agency still intends to issue a final rule in 2020. This final rule will take into account the comments received in response to both the 2018 proposed rule and this supplemental FRN as well as those submitted by the Science Advisory Board.

**From:** Miranda Green <mgreen@thehill.com>  
**Sent:** Monday, November 11, 2019 7:45 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Subject:** Re: Comment on Nytimes piece

I just published. Will add in any response you give. Thanks.

On Mon, Nov 11, 2019 at 7:32 PM Schiermeyer, Corry <schiermeyer.corry@epa.gov> wrote:

What's your deadline?  
Working on trying to get you an answer.

Sent from my iPhone

On Nov 11, 2019, at 7:11 PM, Miranda Green <mgreen@thehill.com> wrote:

Looking for a comment on tonight's NYtimes piece reporting on the latest draft of the science transparency rule.

<https://www.nytimes.com/2019/11/11/climate/epa-science-trump.html?action=click&module=Top%20Stories&pgtype=Homepage>

Can you confirm the legitimacy of the draft and provide comment on the reason for the change to expand requested raw data from scientific studies in the draft?

Thanks,  
Miranda

--

Miranda Green  
Energy and Environment Reporter, The Hill

Ex. 6 Personal Privacy (PP)

[mgreen@thehill.com](mailto:mgreen@thehill.com)

@mirandacgreen

--

Miranda Green  
Energy and Environment Reporter, The Hill

Ex. 6 Personal Privacy (PP)

[mgreen@thehill.com](mailto:mgreen@thehill.com)

@mirandacgreen



Message

---

**From:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]  
**Sent:** 11/12/2019 9:23:10 PM  
**To:** Leadership\_Regional\_Administrators [Leadership\_Regional\_Administrators@epa.gov];  
Leadership\_Assistant\_Administrators [Leadership\_Assistant\_Administrators@epa.gov]  
**CC:** Abboud, Michael [abboud.michael@epa.gov]; Block, Molly [block.molly@epa.gov]; Jackson, Ryan  
[jackson.ryan@epa.gov]; Benevento, Douglas [benevento.douglas@epa.gov]  
**Subject:** NYT rebuttal PDF.pdf  
**Attachments:** NYT rebuttal PDF.pdf

Hello AA's and RA's,

Following up on the Senior Staff meeting today and the issue the Administrator discussed in regards to the New York Times.

The attached is the release we sent out today in response to the New York Times article that ran today and had numerous inaccuracies and was based on an old document that is not what was sent to OMB on the Science Transparency rule.

Please let me know if you all have any questions.

Thank you!

Corry Schiermeyer  
Associate Administrator  
Office of Public Affairs  
Environmental Protection Agency  
[Schiermeyer.corry@epa.gov](mailto:Schiermeyer.corry@epa.gov)  
202-564-6782

## The New York Times' Several Glaring Inaccuracies "That's Fit To Print"

(WASHINGTON) – Late yesterday, the New York Times published a story *EPA to Limit Science Used to Write Public Health Rules*, that has numerous errors and is based on leaked preliminary, draft documents that are not accurate and do not include the final text submitted to the Office of Management and Budget (OMB) for interagency review.

On Friday, Nov. 8, the U.S. Environmental Protection Agency (EPA) delivered to OMB a draft supplemental federal register notice (FRN) to clarify, modify and supplement certain provisions included in the 2018 proposed “Strengthening Transparency in Regulatory Science” rule. The 2018 proposed rule solicited comment on all aspects of the proposed rule. This supplemental FRN solicits comment only on the changes and additions to the proposed regulatory text discussed in this supplemental notice. The agency still intends to issue a final rule in 2020. This final rule will take into account the comments received in response to both the 2018 proposed rule and this supplemental FRN as well as those submitted by the Science Advisory Board.

EPA recognizes that when it develops significant regulations using public resources, including regulations for which the public is likely to bear the cost of compliance, EPA should ensure that the data and models underlying scientific studies that are pivotal to the regulatory action are available for review and reanalysis. The “Strengthening Transparency in Regulatory Science” rulemaking is designed to increase transparency in the preparation, identification and use of science in rulemaking. When final, this action will ensure that the regulatory science underlying EPA’s actions are made available in a manner sufficient for independent validation.

EPA has not finalized this proposal but responds to the claims alleged as they are not an accurate account of where the proposal stands. **How the New York Times got it wrong:**

The reporter incorrectly reports that “unlike a proposal that surfaced in early 2018, this one could apply retroactively to public health regulations already in place.” **This is completely false.** The proposal and supplemental will not apply to any regulations already in place.

The reporter again says the proposal would apply retroactively to existing regulations, **which is completely false.** The supplemental (and the original proposal) allow studies like the Harvard Six City study to be used. The agency has not rejected or otherwise eliminated that option in anyway in its original proposal or supplemental. In fact, the supplemental makes it even clearer that such studies must be properly considered and takes comment from the public on this issue.

Additionally, they report that this “would require scientists to disclose all of their raw data, including confidential medical records.” **This is not true.** In the originally proposed regulation and in the leaked supplemental, EPA maintains protecting confidential personal information just as other federal health agencies regularly do. The reporter clearly does not understand the terms in the context of science transparency.

**The story continues with more false information.** The reporter writes: “The measure would make it more difficult to enact new clean air and water rules...” **This is just wrong.** The reality is that the supplemental addresses this concern and clarifies points that were not entirely made

clear in the original proposal. If the reporter had truly read the *outdated* leaked draft she would have read a discussion of how scientists across the country have already approved methods to gain access to a study's underlying data that contains personal information without revealing the identity of the individuals.

The article continues with more misleading and false information. The reporter writes: "The change is part of a broader administration effort to weaken the scientific underpinnings of policymaking." **Science transparency does not weaken science, quite the contrary.** By requiring transparency, scientists will be required to publish hypothesis and experimental data for other scientists to review and discuss, requiring the science to withstand skepticism and peer review.

In fact, EPA currently has transparency rules in place for its intramural research and extramural grants. **Non-government funded research should also be subject to transparency requirements.** When finalized, the science transparency rule will ensure that all important studies underlying significant regulatory actions at the EPA, regardless of their source, are subject to a transparent review by qualified scientists.

The article continues with inaccurate information. The reporter writes: "The new version does not appear to have taken any of the opposition into consideration." **This is just bad reporting. It is completely misleading, and lacks the understanding of the rule making process.** A supplemental to a proposed rule is not a 'new' rule and is not intended to address comments to a proposal. The public will have the ability to comment on the supplemental just as they did for the proposal. The final rule will address all comments.

Additionally, the reporter incorrectly states that: "The politically appointed agency administrator would have wide-ranging discretion over which studies to accept or reject." **This is completely false.** The rule requires transparency but gives the EPA Administrator the discretion to use studies when information is not available. However, this should be the exception instead of the way of EPA doing business.

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And finally, the reporter writes: "Academics are not typically required to turn over private data when submitting studies for peer review..." The scientific community is increasingly interested in increasing transparency in research. Several academic journals, including the Public Library of Science and the Annals of Internal Medicine already have a publication condition requiring authors to make their data available upon request and many institutions, including Yale and

Harvard universities, are making strides in creating publicly accessible repositories of research and clinical data.

Message

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**From:** Jackson, Ryan [jackson.ryan@epa.gov]  
**Sent:** 11/12/2019 6:21:58 PM  
**To:** Orme-Zavaleta, Jennifer [Orme-Zavaleta.Jennifer@epa.gov]; Dunlap, David [dunlap.david@epa.gov]; Fitzmorris, Amanda [fitzmorris.amanda@epa.gov]; Brazauskas, Joseph [brazauskas.joseph@epa.gov]; Voyles, Travis [Voyles.Travis@epa.gov]; Bolen, Brittany [bolen.brittany@epa.gov]  
**CC:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Block, Molly [block.molly@epa.gov]  
**Subject:** FW: The New York Times' Several Glaring Inaccuracies "That's Fit To Print"  
**Attachments:** full.pdf

Attached is what Jennifer will be asked about specifically.

---

**From:** Jackson, Ryan  
**Sent:** Tuesday, November 12, 2019 1:18 PM  
**To:** Orme-Zavaleta, Jennifer <Orme-Zavaleta.Jennifer@epa.gov>; Dunlap, David <dunlap.david@epa.gov>; Fitzmorris, Amanda <fitzmorris.amanda@epa.gov>  
**Subject:** FW: The New York Times' Several Glaring Inaccuracies "That's Fit To Print"

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**From:** EPA Press Office <press@epa.gov>  
**Sent:** Tuesday, November 12, 2019 12:00 PM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Subject:** The New York Times' Several Glaring Inaccuracies "That's Fit To Print"



U.S. ENVIRONMENTAL PROTECTION AGENCY  
**NEWS RELEASE**  
WWW.EPA.GOV/NEWSROOM

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## The New York Times' Several Glaring Inaccuracies "That's Fit To Print"

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\*\*\*\*\*

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Washington, D.C. 20004

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**From:** Sauerhage, Maggie [Sauerhage.Maggie@epa.gov]  
**Sent:** 11/13/2019 3:26:59 PM  
**To:** Press [Press@epa.gov]  
**Subject:** Fwd: The New York Times' Several Glaring Inaccuracies "That's Fit To Print"

## Ex. 5 Deliberative Process (DP)

Maggie Sauerhage  
Office of Public Affairs  
U.S. Environmental Protection Agency  
Office: (202) 564-0443  
Cell: Ex. 6 Personal Privacy (PP)

Begin forwarded message:

**From:** Heather Goldstone <heather\_goldstone@capeandislands.org>  
**Date:** November 13, 2019 at 10:19:16 AM EST  
**To:** Press <Press@epa.gov>  
**Cc:** Elsa Partan <elsa\_partan@capeandislands.org>  
**Subject:** Re: The New York Times' Several Glaring Inaccuracies "That's Fit To Print"

I host a weekly radio show about science and society – Living Lab Radio – which airs on WGBH Radio, Boston, and WCAI on Cape Cod. We will be interviewing a policy analyst from Union of Concerned Scientists regarding this new proposed policy, the supplement, and what is learned in the hearing today. We would also like to include EPA's perspective on this issue. Could someone speak with us for about 20 minutes on Thursday, sometime between 10:30am and 4pm? The interview would be recorded for radio. Thank you,  
Heather

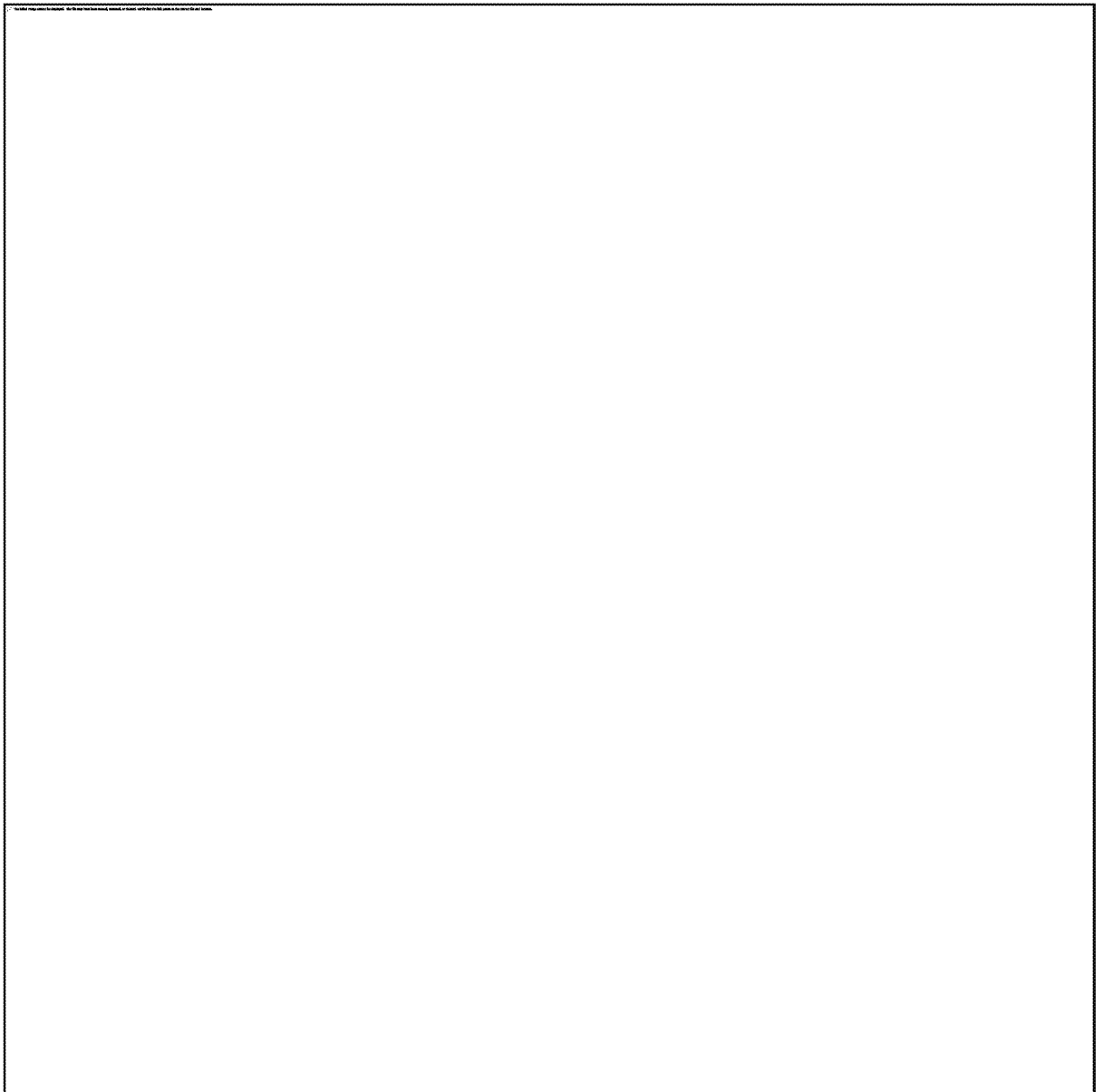
---

Heather M. H. Goldstone, Ph.D.  
Host and executive producer, Living Lab Radio  
Science correspondent, WCAI/WGBH Radio  
@hgoldstone

Ex. 6 Personal Privacy (PP)

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**From:** EPA Press Office <press@epa.gov>  
**Reply-To:** EPA Press Office <press@epa.gov>  
**Date:** Tuesday, November 12, 2019 at 12:00 PM  
**To:** Heather Goldstone <heather\_goldstone@capeandislands.org>  
**Subject:** The New York Times' Several Glaring Inaccuracies "That's Fit To Print"



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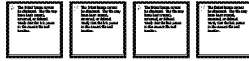
And finally, the reporter writes: “Academics are not typically required to turn over private data when submitting studies for peer review...” The scientific community is increasingly interested in increasing transparency in research. Several academic journals, including the Public Library of Science and the Annals of Internal Medicine already have a publication condition requiring authors to make their data available upon request and many institutions, including Yale and Harvard universities, are making strides in creating publicly accessible repositories of research and clinical data.

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<!--[if !vml]-->

<!--[endif]-->



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1200 Pennsylvania Avenue Northwest  
Washington, D.C. 20004



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Message

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**From:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]  
**Sent:** 11/12/2019 3:42:30 PM  
**To:** Courtney Buble [cbuble@govexec.com]; Press [Press@epa.gov]  
**Subject:** RE: Press Inquiry for Article Today

We will have more, soon...but in the interim:

**EPA Spokesperson:**

The New York Times reporting has numerous errors and is based on a leaked preliminary, draft version of the Supplemental, not the actual text submitted to OMB.

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**From:** Courtney Buble <cbuble@govexec.com>  
**Sent:** Tuesday, November 12, 2019 10:29 AM  
**To:** Press <Press@epa.gov>  
**Subject:** Press Inquiry for Article Today

Good morning,

My name is Courtney Buble and I'm a reporter for Government Executive, a division of Atlantic Media.

I was wondering if you would like to provide a comment for a story I'm doing today on [this new draft rule](#), first reported by *The New York Times*? I will be filing my story at 1:30pm.

Thank you!

--

**Courtney Bublé**  
*Staff Correspondent*  
Government Executive Media Group  
A Division of Atlantic Media  
D: (202) 266-7713 | C: (Ex. 6 Personal Privacy (PP))  
Twitter | @courtneybuble  
[www.govexec.com](http://www.govexec.com)

Message

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**From:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]  
**Sent:** 11/12/2019 6:07:55 PM  
**To:** Grantham, Nancy [Grantham.Nancy@epa.gov]; MacIntyre, Mark [Macintyre.Mark@epa.gov]; Block, Molly [block.molly@epa.gov]  
**CC:** Holsman, Marianne [Holsman.Marianne@epa.gov]; Press [Press@epa.gov]  
**Subject:** RE: Just Got my First "Angry Member of the Public" Call referred to me on the New York Times Story....Do we have a statement? Where should I send her?

Please see: <https://www.epa.gov/newsreleases/new-york-times-several-glaring-inaccuracies-thats-fit-print>

---

**From:** Grantham, Nancy <Grantham.Nancy@epa.gov>  
**Sent:** Tuesday, November 12, 2019 1:05 PM  
**To:** MacIntyre, Mark <Macintyre.Mark@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Cc:** Holsman, Marianne <Holsman.Marianne@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: Just Got my First "Angry Member of the Public" Call referred to me on the New York Times Story....Do we have a statement? Where should I send her?

Looping press

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**From:** MacIntyre, Mark <Macintyre.Mark@epa.gov>  
**Sent:** Tuesday, November 12, 2019 12:54 PM  
**To:** Grantham, Nancy <Grantham.Nancy@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Cc:** Holsman, Marianne <Holsman.Marianne@epa.gov>  
**Subject:** Just Got my First "Angry Member of the Public" Call referred to me on the New York Times Story....Do we have a statement? Where should I send her?

Thanks!

MM

Mark A. MacIntyre  
Senior Public Information Officer  
U.S. EPA Region 10  
1200 Sixth Ave. Suite 155 MS – 12-D-12  
Seattle, WA 98101  
Desk: 206.553.7302  
Mobile: Ex. 6 Personal Privacy (PP)

**From:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]  
**Sent:** 11/12/2019 6:03:53 PM  
**To:** Scott, Amy [AScott@marketplace.org]; Press [Press@epa.gov]  
**Subject:** RE: Press inquiry - 3 p.m. EST deadline

Hello Amy,

For her written testimony, you might check with the committee.  
Please see below as I would not report based on the NYT story:

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**From:** Scott, Amy <AScott@marketplace.org>  
**Sent:** Tuesday, November 12, 2019 1:01 PM  
**To:** Press <Press@epa.gov>  
**Subject:** Press inquiry - 3 p.m. EST deadline

Good afternoon,

I'm working on a story for Marketplace, public radio's business and economics show, about the EPA's proposed restrictions on the scientific research that can be used to craft regulations. Do you have someone available for an interview today before 3 p.m. EST?

In addition, is there prepared testimony for Dr. Jennifer Orme-Zavaleta that you can share in advance of her appearance tomorrow on the Hill?

Many thanks,

Amy

Amy Scott  
Senior Correspondent, *Marketplace*

Ex. 6 Personal Privacy (PP)

[ascott@marketplace.org](mailto:ascott@marketplace.org)  
[@amyreports](#)

Message

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**From:** Sauerhage, Maggie [Sauerhage.Maggie@epa.gov]  
**Sent:** 11/12/2019 5:27:40 PM  
**To:** Courtney Buble [cbuble@govexec.com]  
**CC:** Press [Press@epa.gov]; Schiermeyer, Corry [schiermeyer.corry@epa.gov]  
**Subject:** RE: Press Inquiry for Article Today

Good afternoon,

Please see: <https://www.epa.gov/newsreleases/new-york-times-several-glaring-inaccuracies-thats-fit-print>

Thanks,  
Maggie

Maggie Sauerhage  
Office of Public Affairs  
U.S. Environmental Protection Agency  
Office: (202) 564-0443  
Cell: Ex. 6 Personal Privacy (PP)

**From:** Courtney Buble <cbuble@govexec.com>  
**Sent:** Tuesday, November 12, 2019 10:44 AM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: Press Inquiry for Article Today

Thank you!

On Tue, Nov 12, 2019 at 10:42 AM Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)> wrote:

We will have more, soon...but in the interim:

**EPA Spokesperson:**

The New York Times reporting has numerous errors and is based on a leaked preliminary, draft version of the Supplemental, not the actual text submitted to OMB.

On Friday, November 8, EPA delivered to OMB a draft supplemental federal register notice (FRN) to clarify, modify and supplement certain provisions included in the 2018 proposed Strengthening Transparency in Regulatory Science rule. The 2018 proposed rule solicited comment on all aspects of the proposed rule. This supplemental FRN solicits comment only on the changes and additions to the proposed regulatory text discussed in this supplemental notice. The Agency still intends to issue a final rule in 2020. This final rule will take into account the comments received in response to both the 2018 proposed rule and this supplemental FRN as well as those submitted by the Science Advisory Board.

**From:** Courtney Buble <[cbuble@govexec.com](mailto:cbuble@govexec.com)>

**Sent:** Tuesday, November 12, 2019 10:29 AM

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** Press Inquiry for Article Today

Good morning,

My name is Courtney Buble and I'm a reporter for Government Executive, a division of Atlantic Media.

I was wondering if you would like to provide a comment for a story I'm doing today on this new draft rule, first reported by *The New York Times*? I will be filing my story at 1:30pm.

Thank you!

--

**Courtney Bublé**

*Staff Correspondent*

Government Executive Media Group

A Division of Atlantic Media

D: (202) 266-7713 | C: **Ex. 6 Personal Privacy (PP)**

Twitter | [@courtneybuble](https://twitter.com/courtneybuble)

[www.govexec.com](http://www.govexec.com)

--

**Courtney Bublé**

*Staff Correspondent*

Government Executive Media Group

A Division of Atlantic Media

D: (202) 266-7713 | C: **Ex. 6 Personal Privacy (PP)**

Twitter | [@courtneybuble](https://twitter.com/courtneybuble)

[www.govexec.com](http://www.govexec.com)

Message

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**From:** Sauerhage, Maggie [Sauerhage.Maggie@epa.gov]  
**Sent:** 11/12/2019 5:27:04 PM  
**To:** Miranda Green [mgreen@thehill.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Comment on Nytimes piece

Good afternoon,

Please see: <https://www.epa.gov/newsreleases/new-york-times-several-glaring-inaccuracies-thats-fit-print>

Thanks,  
Maggie

Maggie Sauerhage  
Office of Public Affairs  
U.S. Environmental Protection Agency  
Office: (202) 564-0443  
Cell: (Ex. 6 Personal Privacy (PP))

**From:** Miranda Green <mgreen@thehill.com>  
**Sent:** Monday, November 11, 2019 7:11 PM  
**To:** Press <Press@epa.gov>  
**Subject:** Comment on Nytimes piece

Looking for a comment on tonight's NYtimes piece reporting on the latest draft of the science transparency rule.

<https://www.nytimes.com/2019/11/11/climate/epa-science-trump.html?action=click&module=Top%20Stories&pgtype=Homepage>

Can you confirm the legitimacy of the draft and provide comment on the reason for the change to expand requested raw data from scientific studies in the draft?

Thanks,  
Miranda

--

Miranda Green  
Energy and Environment Reporter, The Hill

(Ex. 6 Personal Privacy (PP))  
[mgreen@thehill.com](mailto:mgreen@thehill.com)  
@mirandacgreen

Message

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**From:** Sauerhage, Maggie [Sauerhage.Maggie@epa.gov]  
**Sent:** 11/12/2019 5:25:46 PM  
**To:** Stromberg, Stephen [Stephen.Stromberg@washpost.com]  
**CC:** Press [Press@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]  
**Subject:** RE: From WashPost

Good afternoon,

Please see: <https://www.epa.gov/newsreleases/new-york-times-several-glaring-inaccuracies-thats-fit-print>

Thanks,  
Maggie

Maggie Sauerhage  
Office of Public Affairs  
U.S. Environmental Protection Agency  
Office: (202) 564-0443  
Cell: **Ex. 6 Personal Privacy (PP)**

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**From:** Stromberg, Stephen <Stephen.Stromberg@washpost.com>  
**Sent:** Tuesday, November 12, 2019 11:17 AM  
**To:** Abboud, Michael <abboud.michael@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: From WashPost

Okay. Thanks, Michael.

Stephen Stromberg  
Editorial Writer  
The Washington Post  
Office: 202.334.6370  
Cell: **Ex. 6 Personal Privacy (PP)**

---

**From:** Abboud, Michael <abboud.michael@epa.gov>  
**Sent:** Tuesday, November 12, 2019 11:15 AM  
**To:** Stromberg, Stephen <Stephen.Stromberg@washpost.com>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: From WashPost

We will have something more substantial in a few minutes but that underlying documents the NYTimes cite are out of date and are different from what was actually transmitted to OMB.

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**From:** Stromberg, Stephen <Stephen.Stromberg@washpost.com>  
**Sent:** Tuesday, November 12, 2019 10:49 AM  
**To:** Abboud, Michael <abboud.michael@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: From WashPost

Thanks, Michael. I'm curious what the Times got wrong. Was it that the final rule might differ substantially from what the piece described? That the FRN does not relate substantially to the underlying rule the story described? Also, when would the FRN become public?

Thanks.

Stephen Stromberg  
Office: 202.334.6370

Cell: Ex. 6 Personal Privacy (PP)

On Nov 12, 2019, at 8:55 AM, Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)> wrote:

**CAUTION: EXTERNAL SENDER**

Sorry for the delay Stephen just landed. We will also have more shortly.

**EPA Spokesperson:**

The New York Times reporting has numerous errors and is based on a leaked preliminary, draft version of the Supplemental, not the actual text submitted to OMB.

On Friday, November 8, EPA delivered to OMB a draft supplemental federal register notice (FRN) to clarify, modify and supplement certain provisions included in the 2018 proposed Strengthening Transparency in Regulatory Science rule. The 2018 proposed rule solicited comment on all aspects of the proposed rule. This supplemental FRN solicits comment only on the changes and additions to the proposed regulatory text discussed in this supplemental notice. The Agency still intends to issue a final rule in 2020. This final rule will take into account the comments received in response to both the 2018 proposed rule and this supplemental FRN as well as those submitted by the Science Advisory Board.

Sent from my iPhone

On Nov 12, 2019, at 7:16 AM, Stromberg, Stephen  
<[Stephen.Stromberg@washpost.com](mailto:Stephen.Stromberg@washpost.com)> wrote:

Hi Michael —

Steve Stromberg with the Post editorial board here. I'm writing today on EPA's new policy on admissible research. What is the administration's response to the fact that the policy would neuter EPA's ability to regulate pollutants long understood to be harmful? To exclude vast quantities of key research that relies on confidential medical information seems to cross the line from caution to willful blindness, no?

Thanks.

Best,  
Steve

Stephen Stromberg

Office: 202.334.6370

Cell: **Ex. 6 Personal Privacy (PP)**



Message

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**From:** Sauerhage, Maggie [Sauerhage.Maggie@epa.gov]  
**Sent:** 11/12/2019 5:25:06 PM  
**To:** Yessenia Funes [yessenia.funes@earthier.com]  
**CC:** Press [Press@epa.gov]; Schiermeyer, Corry [schiermeyer.corry@epa.gov]  
**Subject:** RE: URGENT: Science rule comment

Good afternoon,

Please see: <https://www.epa.gov/newsreleases/new-york-times-several-glaring-inaccuracies-thats-fit-print>

Thanks,  
Maggie

Maggie Sauerhage  
Office of Public Affairs  
U.S. Environmental Protection Agency  
Office: (202) 564-0443  
Cell: Ex. 6 Personal Privacy (PP)

**From:** Yessenia Funes <yessenia.funes@earthier.com>  
**Sent:** Tuesday, November 12, 2019 11:36 AM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** Re: URGENT: Science rule comment

Thank you!

**Yessenia Funes**

Staff Writer  
[Earther @ Gizmodo](#)  
G/O Media  
[@yessfun](#)  
[yessenia.funes@earthier.com](mailto:yessenia.funes@earthier.com)

On Tue, Nov 12, 2019 at 9:20 AM Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)> wrote:

We will have more, soon...but in the interim:

**EPA Spokesperson:**

The New York Times reporting has numerous errors and is based on a leaked preliminary, draft version of the Supplemental, not the actual text submitted to OMB.

On Friday, November 8, EPA delivered to OMB a draft supplemental federal register notice (FRN) to clarify, modify and supplement certain provisions included in the 2018 proposed Strengthening Transparency in Regulatory Science rule. The 2018 proposed rule solicited comment on all aspects

of the proposed rule. This supplemental FRN solicits comment only on the changes and additions to the proposed regulatory text discussed in this supplemental notice. The Agency still intends to issue a final rule in 2020. This final rule will take into account the comments received in response to both the 2018 proposed rule and this supplemental FRN as well as those submitted by the Science Advisory Board.

**From:** Yessenia Funes <[yessenia.funes@earthier.com](mailto:yessenia.funes@earthier.com)>

**Sent:** Tuesday, November 12, 2019 9:16 AM

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** URGENT: Science rule comment

Good morning,

My name is Yessenia Funes. I'm a reporter with Gizmodo, a national science and tech news site.

I'm seeing the news on the new science transparency rule. I'm wondering what is the agency's comment on the concerns around how this will limit science. Also, when will the EPA formally announce these changes in its proposal so that the public can comment on it?

I will publish this story in the next couple of hours.

Thanks,

**Yessenia Funes**

Staff Writer

Earthier @ Gizmodo

G/O Media

@yessfun

yessenia.funes@earthier.com

.....

Message

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**From:** Sauerhage, Maggie [Sauerhage.Maggie@epa.gov]  
**Sent:** 11/12/2019 5:24:00 PM  
**To:** Dennis, Brady [Brady.Dennis@washpost.com]  
**CC:** Eilperin, Juliet [Juliet.Eilperin@washpost.com]; Press [Press@epa.gov]  
**Subject:** RE: scientific data rule

Good afternoon,

Please see: <https://www.epa.gov/newsreleases/new-york-times-several-glaring-inaccuracies-thats-fit-print>

Thanks,  
Maggie

Maggie Sauerhage  
Office of Public Affairs  
U.S. Environmental Protection Agency  
Office: (202) 564-0443  
Cell: **Ex. 6 Personal Privacy (PP)**

-----Original Message-----

From: Dennis, Brady <Brady.Dennis@washpost.com>  
Sent: Monday, November 11, 2019 9:24 PM  
To: Press <Press@epa.gov>  
Cc: Eilperin, Juliet <Juliet.Eilperin@washpost.com>  
Subject: scientific data rule

Hi all,

Not certain, but we might end up writing something tonight off the Times report on the forthcoming rule about what research can be used in crafting regulations.

Wanted to make sure to reach out for any comments EPA had on that just in case.

Thank you,  
Brady

-----  
Brady Dennis  
The Washington Post  
**Ex. 6 Personal Privacy (PP)**  
brady.dennis@washpost.com  
@brady\_dennis

Message

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**From:** Sauerhage, Maggie [Sauerhage.Maggie@epa.gov]  
**Sent:** 11/12/2019 5:23:16 PM  
**To:** Wallace, Gregory [gregory.wallace@turner.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: question on scientific transparency regulations

Good afternoon,

Please see: <https://www.epa.gov/newsreleases/new-york-times-several-glaring-inaccuracies-thats-fit-print>

Thanks,  
Maggie

Maggie Sauerhage  
Office of Public Affairs  
U.S. Environmental Protection Agency  
Office: (202) 564-0443  
Cell: Ex. 6 Personal Privacy (PP)

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**From:** Wallace, Gregory <gregory.wallace@turner.com>  
**Sent:** Monday, November 11, 2019 6:04 PM  
**To:** Press <Press@epa.gov>  
**Subject:** question on scientific transparency regulations

Good evening,

I understand the New York Times is reporting on a draft of the scientific transparency regulations this evening.

Do you have any comment on the report and where the regulation stands?

Thank you,  
Greg

Gregory Wallace  
CNN

Ex. 6 Personal Privacy (PP)

Message

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**From:** Rebecca Coons [Rebecca.Coons@ihsmarkit.com]  
**Sent:** 11/12/2019 5:22:24 PM  
**To:** Sauerhage, Maggie [Sauerhage.Maggie@epa.gov]  
**CC:** Press [Press@epa.gov]  
**Subject:** RE: Strengthening Transparency in Regulatory Science Rule

Cool thank you!

---

**From:** Sauerhage, Maggie <Sauerhage.Maggie@epa.gov>  
**Sent:** Tuesday, November 12, 2019 12:21 PM  
**To:** Rebecca Coons <Rebecca.Coons@ihsmarkit.com>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: Strengthening Transparency in Regulatory Science Rule

[CAUTION] EXTERNAL EMAIL

Good afternoon Rebecca,

Please see: <https://www.epa.gov/newsreleases/new-york-times-several-glaring-inaccuracies-thats-fit-print>

Thanks,  
Maggie

Maggie Sauerhage  
Office of Public Affairs  
U.S. Environmental Protection Agency  
Office: (202) 564-0443  
Cell: Ex. 6 Personal Privacy (PP)

---

**From:** Rebecca Coons <Rebecca.Coons@ihsmarkit.com>  
**Sent:** Tuesday, November 12, 2019 11:29 AM  
**To:** Press <Press@epa.gov>  
**Subject:** Strengthening Transparency in Regulatory Science Rule

Hello,  
I am a journalist at IHS Chemical Week magazine. I was wondering if I could get a statement or comment about the New York Times' report on the Strengthening Transparency in Regulatory Science Rule?

Thanks,  
Rebecca

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<https://ihsmarkit.com/Legal/EmailDisclaimer.html>

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<https://ihsmarkit.com/Legal/EmailDisclaimer.html>

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Please visit [www.ihsmarkit.com/about/contact-us.html](http://www.ihsmarkit.com/about/contact-us.html) for contact information on our offices worldwide.

Message

---

**From:** Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]  
**Sent:** 11/12/2019 12:54:28 AM  
**To:** Jackson, Ryan [jackson.ryan@epa.gov]  
**CC:** Block, Molly [block.molly@epa.gov]  
**Subject:** Re:

Molly and I are going to be teleworking from Ann Arbor tomorrow. We will be able to put everything together though.

Sent from my iPhone

On Nov 11, 2019, at 7:42 PM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

## Ex. 5 Deliberative Process (DP)

Ryan Jackson  
Chief of Staff  
U.S. EPA

Ex. 6 Personal Privacy (PP)

On Nov 11, 2019, at 7:28 PM, Block, Molly <block.molly@epa.gov> wrote:

For sure. Is there anything we can start to prepare tonight?

Sent from my iPhone

On Nov 11, 2019, at 7:25 PM, Jackson, Ryan  
<jackson.ryan@epa.gov> wrote:

Will need you get your help tomorrow morning. Really, first thing.



Ryan Jackson  
Chief of Staff  
U.S. EPA

**Ex. 6 Personal Privacy (PP)**

Begin forwarded message:

**From:** "Jackson, Ryan" <jackson.ryan@epa.gov>  
**Date:** November 11, 2019 at 7:22:07 PM EST  
**To:** "Friedman, Lisa"  
<lisa.friedman@nytimes.com>  
**Cc:** "Bolen, Brittany" <bolen.brittany@epa.gov>,  
"Dunlap, David" <dunlap.david@epa.gov>,  
"Schiermeyer, Corry"  
<schiermeyer.corry@epa.gov>  
**Subject: Re:**

Oh really?

Here's what you emailed:

I'm doing a story today on EPA's supplemental science transparency regulation. Our story will refer to a draft of the supplemental that I am told by several sources is close to being sent to OMB for review. The draft indicates EPA is A) changing the legal justification of the measure to a federal housekeeping statute B) expanding the scope of the measure in several ways including having it apply to all data and models instead of only dose-response data/models and also taking comment on applying retroactively. Finally, I'm aware of an older supplemental in which an option that some staff considered more moderate was removed.

Could someone today speak with me on this? Specifically I'm hoping EPA can explain the new legal justification to me, and offer me some comments/thoughts about why

the scope of the transparency measure has been expanded. Finally looking back at one of my interviews with Mr. Wheeler he was pretty clear that this would not apply retroactively, so I'm also interested in EPA's reasoning behind now seeking comments for doing so and what the scientific benefits of such a move would be.

If I can speak to someone by 3 p.m. I'd be appreciative. If you need more time, though, just let me know -- and of course I'm available on my cell to talk 202-251-2083. Best,  
Lisa

It's Veterans Day. No one is in the office. The social media post was commemorating Veteran's day. No one is at the office but that's what you were hoping. That whole 3pm thing, really meant that too I see.

So, no I don't think that's professional.

But that's fine. You can read about the inaccuracies in your story in someone else's paper.

Ryan Jackson  
Chief of Staff  
U.S. EPA

Ex. 6 Personal Privacy (PP)

On Nov 11, 2019, at 6:40 PM, Friedman, Lisa  
<[lisa.friedman@nytimes.com](mailto:lisa.friedman@nytimes.com)> wrote:

Hi Ryan,  
As I told Corry I emailed the entire press staff as soon as I had the documents and assessed them, shortly after 11 am this morning. I sent specific questions and detailed

the points that would appear in the story. I didn't get an out of office reply from anyone and had no idea that not a single person was monitoring EPA's press email account. It was only after I repeatedly reached out in an effort ensure that I represented EPA's view that I learned everyone was out.

Mr. Wheeler, I'd note, was tweeting today indicating someone on the comms team was working.

As it was we held off for more than two more hours before publishing so that we could at least get some response in the story. If you have more you want to add tonight please let me know and I'll try to do so.

I have only ever been professional with your office, Ryan and I appreciate the same from you. Happy to talk anytime.

Best  
Lisa

On Mon, Nov 11, 2019 at 6:29 PM  
Jackson, Ryan

<[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)> wrote:

Hey nice work emailing staff today while they are out of the office on a holiday giving us a deadline for today. We are going to have to blow up your article tomorrow taking the inaccuracies in it apart one by one for everyone else to report on. Happy Veterans Day.

Ryan Jackson  
Chief of Staff  
U.S. EPA

Ex. 6 Personal Privacy (PP)

--

Lisa Friedman  
Reporter, New York Times  
(202) 862-0306 office

Ex. 6 Personal Privacy (PP)

cell

Message

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**From:** Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]  
**Sent:** 11/13/2019 4:40:27 PM  
**To:** Heather Goldstone [heather\_goldstone@capeandislands.org]; Press [Press@epa.gov]  
**CC:** Elsa Partan [elsa\_partan@capeandislands.org]  
**Subject:** RE: The New York Times' Several Glaring Inaccuracies "That's Fit To Print"

Hey Heather thank you for the invitation, but we will have to decline at this time.

---

**From:** Heather Goldstone <heather\_goldstone@capeandislands.org>  
**Sent:** Wednesday, November 13, 2019 10:19 AM  
**To:** Press <Press@epa.gov>  
**Cc:** Elsa Partan <elsa\_partan@capeandislands.org>  
**Subject:** Re: The New York Times' Several Glaring Inaccuracies "That's Fit To Print"  
**Importance:** High

I host a weekly radio show about science and society – Living Lab Radio – which airs on WGBH Radio, Boston, and WCAI on Cape Cod. We will be interviewing a policy analyst from Union of Concerned Scientists regarding this new proposed policy, the supplement, and what is learned in the hearing today. We would also like to include EPA's perspective on this issue.

Could someone speak with us for about 20 minutes on Thursday, sometime between 10:30am and 4pm? The interview would be recorded for radio.

Thank you,  
Heather

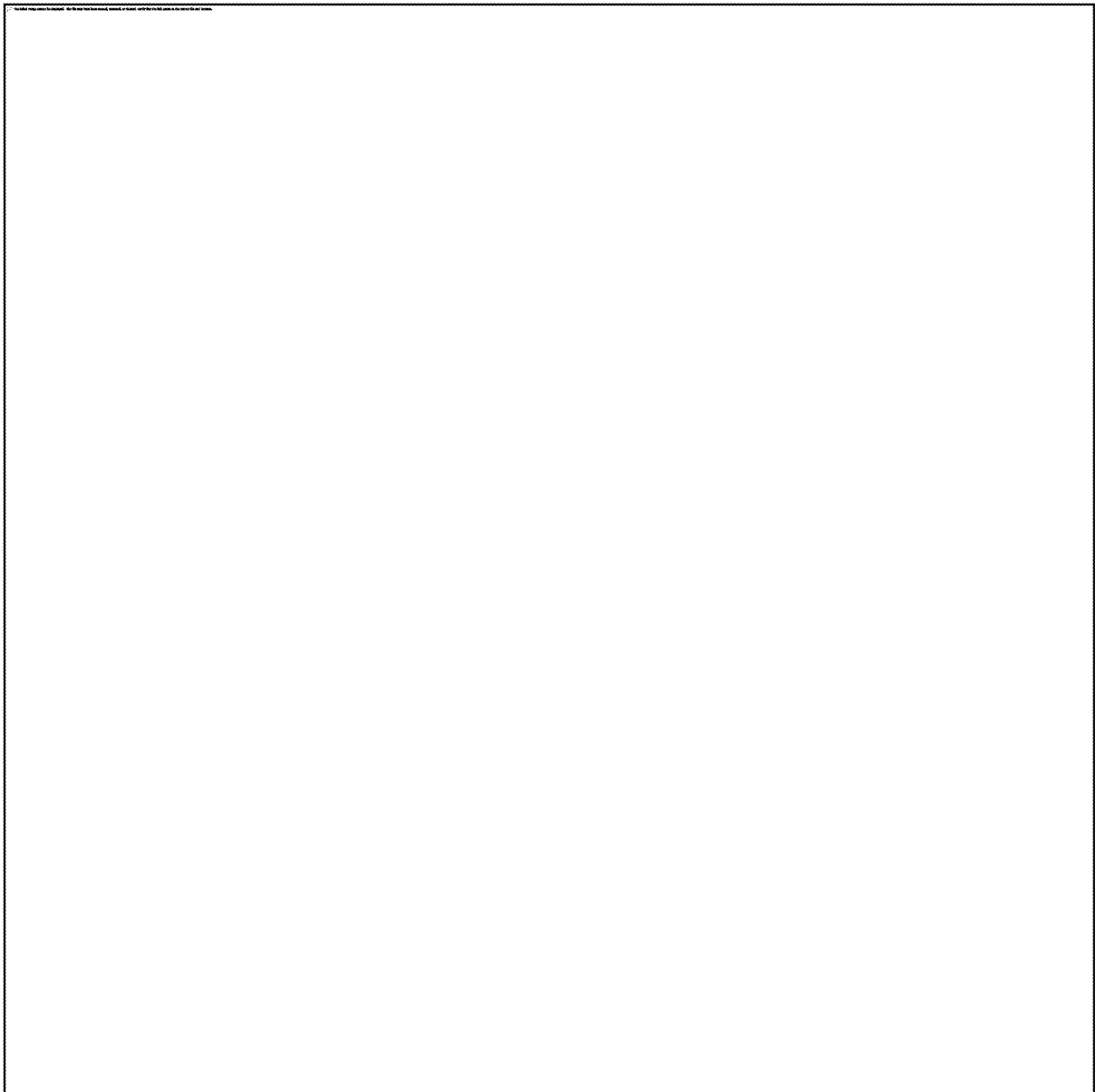
---

Heather M. H. Goldstone, Ph.D.  
Host and executive producer, Living Lab Radio  
Science correspondent, WCAI/WGBH Radio  
@hgoldstone

Ex. 6 Personal Privacy (PP)

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**From:** EPA Press Office <press@epa.gov>  
**Reply-To:** EPA Press Office <press@epa.gov>  
**Date:** Tuesday, November 12, 2019 at 12:00 PM  
**To:** Heather Goldstone <heather\_goldstone@capeandislands.org>  
**Subject:** The New York Times' Several Glaring Inaccuracies "That's Fit To Print"



## The New York Times' Several Glaring Inaccuracies "That's Fit To Print"

.....

**WASHINGTON** (Nov. 12, 2019) — Late yesterday, the New York Times published a story ***EPA to Limit Science Used to Write Public Health Rules***, that has numerous errors and is based on leaked preliminary, draft documents that are not accurate and do not include the final text submitted to the Office of Management and Budget (OMB) for interagency review.

On Friday, Nov. 8, the U.S. Environmental Protection Agency (EPA) delivered to OMB a draft supplemental federal register notice (FRN) to clarify, modify and supplement certain provisions included in the 2018 proposed “Strengthening Transparency in Regulatory Science” rule. The 2018 proposed rule solicited comment on all aspects of the proposed rule. This supplemental FRN solicits comment only on the changes and

additions to the proposed regulatory text discussed in this supplemental notice. The agency still intends to issue a final rule in 2020. This final rule will take into account the comments received in response to both the 2018 proposed rule and this supplemental FRN as well as those submitted by the Science Advisory Board.

EPA recognizes that when it develops significant regulations using public resources, including regulations for which the public is likely to bear the cost of compliance, EPA should ensure that the data and models underlying scientific studies that are pivotal to the regulatory action are available for review and reanalysis. The “Strengthening Transparency in Regulatory Science” rulemaking is designed to increase transparency in the preparation, identification and use of science in rulemaking. When final, this action will ensure that the regulatory science underlying EPA’s actions are made available in a manner sufficient for independent validation.

EPA has not finalized this proposal but responds to the claims alleged as they are not an accurate account of where the proposal stands. **How the New York Times got it wrong:**

The reporter incorrectly reports that “unlike a proposal that surfaced in early 2018, this one could apply retroactively to public health regulations already in place.” **This is completely false.** The proposal and supplemental will not apply to any regulations already in place.

The reporter again says the proposal would apply retroactively to existing regulations, **which is completely false.** The supplemental (and the original proposal) allow studies like the Harvard Six City study to be used. The agency has not rejected or otherwise eliminated that option in anyway in its original proposal or supplemental. In fact, the supplemental makes it even clearer that such studies must be properly considered and takes comment from the public on this issue.

Additionally, they report that this “would require scientists to disclose all of their raw data, including confidential medical records.” **This is not true.** In the originally proposed regulation and in the leaked supplemental, EPA maintains protecting confidential personal information just as other federal health agencies regularly do. The reporter clearly does not understand the terms in the context of science transparency.

**The story continues with more false information.** The reporter writes: “The measure would make it more difficult to enact new clean air and water rules...” **This is just wrong.** The reality is that the supplemental addresses this concern and clarifies points that were not entirely made clear in the original proposal. If the reporter had truly read the *outdated* leaked draft she would have read a discussion of how scientists across the country have already approved methods to gain access to a study’s underlying data that contains personal information without revealing the identity of the individuals.

The article continues with more misleading and false information. The reporter writes: “The change is part of a broader administration effort to weaken the scientific underpinnings of policymaking.” **Science transparency does not weaken science, quite**

**the contrary.** By requiring transparency, scientists will be required to publish hypothesis and experimental data for other scientists to review and discuss, requiring the science to withstand skepticism and peer review.

In fact, EPA currently has transparency rules in place for its intramural research and extramural grants. **Non-government funded research should also be subject to transparency requirements.** When finalized, the science transparency rule will ensure that all important studies underlying significant regulatory actions at the EPA, regardless of their source, are subject to a transparent review by qualified scientists.

The article continues with inaccurate information. The reporter writes: “The new version does not appear to have taken any of the opposition into consideration.” **This is just bad reporting. It is completely misleading, and lacks the understanding of the rule making process.** A supplemental to a proposed rule is not a ‘new’ rule and is not intended to address comments to a proposal. The public will have the ability to comment on the supplemental just as they did for the proposal. The final rule will address all comments.

Additionally, the reporter incorrectly states that: “The politically appointed agency administrator would have wide-ranging discretion over which studies to accept or reject.” **This is completely false.** The rule requires transparency but gives the EPA Administrator the discretion to use studies when information is not available. However, this should be the exception instead of the way of EPA doing business.

The reporter again inaccurately reports on the meaning of “raw data.” The supplemental seeks public comment on any changes to the scope. Once again, **the reporter confuses the situation by using “raw data,” which is clarified in the supplemental.**

In the first paragraph, they report that “the new rule would...” **This is not a new rule.** What was submitted to OMB is a supplemental to the 2018 proposed rule. In the next paragraph, they continue to misreport by calling this a “new draft.” Again, this is not a new rule, this is supplemental to the 2018 proposal.

And finally, the reporter writes: “Academics are not typically required to turn over private data when submitting studies for peer review...” The scientific community is increasingly interested in increasing transparency in research. Several academic journals, including the Public Library of Science and the Annals of Internal Medicine already have a publication condition requiring authors to make their data available upon request and many institutions, including Yale and Harvard universities, are making strides in creating publicly accessible repositories of research and clinical data.

.....



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Washington, D.C. 20004

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Message

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**From:** Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]  
**Sent:** 11/12/2019 4:28:43 PM  
**To:** Woods, Andrea [Woods.Andrea@epa.gov]; Schiermeyer, Corry [schiermeyer.corry@epa.gov]; Block, Molly [block.molly@epa.gov]  
**Subject:** RE: transparency rule

## Ex. 5 Deliberative Process (DP)

---

**From:** Woods, Andrea <Woods.Andrea@epa.gov>  
**Sent:** Tuesday, November 12, 2019 11:06 AM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Block, Molly <block.molly@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>  
**Subject:** FW: transparency rule

## Ex. 5 Deliberative Process (DP)

---

**From:** Kelsey Brugger <kbrugger@eenews.net>  
**Sent:** Tuesday, November 12, 2019 11:04 AM  
**To:** Woods, Andrea <Woods.Andrea@epa.gov>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: transparency rule

Thanks Andrea. Is it possible that someone in the press office goes on the record with this statement? My editor does not like us to use simply "spokesperson."

Let me know.

Thanks again.

Kelsey

---

**From:** Woods, Andrea [mailto:Woods.Andrea@epa.gov]  
**Sent:** Tuesday, November 12, 2019 11:02 AM  
**To:** Kelsey Brugger <kbrugger@eenews.net>  
**Cc:** Press <Press@epa.gov>  
**Subject:** RE: transparency rule

Hi Kelsey,

We will have more soon. In the meantime, please see our statement below:

### EPA Spokesperson:

The New York Times reporting has numerous errors and is based on a leaked preliminary, draft version of the Supplemental, not the actual text submitted to OMB.

On Friday, November 8, EPA delivered to OMB a draft supplemental federal register notice (FRN) to clarify, modify and supplement certain provisions included in the 2018 proposed Strengthening Transparency in Regulatory Science rule. The 2018 proposed rule solicited comment on all aspects of the proposed rule. This supplemental FRN solicits comment only on the changes and additions to the proposed regulatory text discussed in this supplemental notice. The Agency still intends to issue a final rule in 2020. This final rule will take into account the comments received in response to both the 2018 proposed rule and this supplemental FRN as well as those submitted by the Science Advisory Board.

---

**From:** Kelsey Brugger <[kbrugger@eenews.net](mailto:kbrugger@eenews.net)>  
**Sent:** Tuesday, November 12, 2019 10:56 AM  
**To:** Woods, Andrea <[Woods.Andrea@epa.gov](mailto:Woods.Andrea@epa.gov)>  
**Cc:** [epa@press.gov](mailto:epa@press.gov)  
**Subject:** transparency rule

Hi Andrea:

It's Kelsey Brugger with E&E News. We are running a story this afternoon about the leaked EPA supplemental notice. Where is it in the process? Any comment on it?

Unfortunately I'm on a tight deadline --- by 12pm today.

Let me know.

Thanks,

Kelsey

Kelsey Brugger  
E&E News reporter  
202-446-0460 (desk)

Ex. 6 Personal Privacy (PP) (cell)

@kelseybrugger

**E&E NEWS**

122 C Street NW 7th Floor Washington, DC 20001

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Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

Message

---

**From:** Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]  
**Sent:** 11/12/2019 1:55:03 PM  
**To:** Stromberg, Stephen [Stephen.Stromberg@washpost.com]  
**CC:** Press [Press@epa.gov]  
**Subject:** Re: From WashPost

Sorry for the delay Stephen just landed. We will also have more shortly.

**EPA Spokesperson:**

The New York Times reporting has numerous errors and is based on a leaked preliminary, draft version of the Supplemental, not the actual text submitted to OMB.

On Friday, November 8, EPA delivered to OMB a draft supplemental federal register notice (FRN) to clarify, modify and supplement certain provisions included in the 2018 proposed Strengthening Transparency in Regulatory Science rule. The 2018 proposed rule solicited comment on all aspects of the proposed rule. This supplemental FRN solicits comment only on the changes and additions to the proposed regulatory text discussed in this supplemental notice. The Agency still intends to issue a final rule in 2020. This final rule will take into account the comments received in response to both the 2018 proposed rule and this supplemental FRN as well as those submitted by the Science Advisory Board.

Sent from my iPhone

On Nov 12, 2019, at 7:16 AM, Stromberg, Stephen <Stephen.Stromberg@washpost.com> wrote:

Hi Michael —

Steve Stromberg with the Post editorial board here. I'm writing today on EPA's new policy on admissible research. What is the administration's response to the fact that the policy would neuter EPA's ability to regulate pollutants long understood to be harmful? To exclude vast quantities of key research that relies on confidential medical information seems to cross the line from caution to willful blindness, no?

Thanks.

Best,  
Steve

Stephen Stromberg  
Office: 202.334.6370

Cell: Ex. 6 Personal Privacy (PP)

**From:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]  
**Sent:** 11/12/2019 12:44:41 AM  
**To:** adm15.arwheeler.email [adm15.arwheeler.email@epa.gov]  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

Hello Sir,  
Here it is...

## ***E.P.A. to Limit Science Used to Write Public Health Rules***

By Lisa Friedman

• Nov. 11, 2019 Updated 7:37 p.m. ET  
\*

WASHINGTON — The Trump administration is preparing to significantly limit the scientific and medical research that the government can use to determine public health regulations, overriding protests from scientists and physicians who say the new rule would undermine the scientific underpinnings of government policymaking.

A new draft of [the Environmental Protection Agency proposal](#), titled Strengthening Transparency in Regulatory Science, would require that scientists disclose all of their raw data, including confidential medical records, before the agency could consider an academic study's conclusions. E.P.A. officials called the plan a step toward transparency and said the disclosure of raw data would allow conclusions to be verified independently.

"We are committed to the highest quality science," Andrew Wheeler, the E.P.A. administrator, told a congressional committee in September. "Good science is science that can be replicated and independently validated, science that can hold up to scrutiny. That is why we're moving forward to ensure that the science supporting agency decisions is transparent and available for evaluation by the public and stakeholders."

The measure would make it more difficult to enact new clean air and water rules because many studies detailing the links between pollution and disease rely on personal health information gathered under confidentiality agreements. And, unlike a version of the proposal that surfaced in early 2018, this one could apply retroactively to public health regulations already in place.

"This means the E.P.A. can justify rolling back rules or failing to update rules based on the best information to protect public health and the environment, which means more dirty air and more premature deaths," said Paul Billings, senior vice president for advocacy at the American Lung Association.

Public health experts warned that studies that have been used for decades — to show, for example, that mercury from power plants impairs brain development, or that lead in paint dust is tied to behavioral disorders in children — might be inadmissible when existing regulations come up for renewal.

For instance, a groundbreaking 1993 Harvard University project that definitively linked polluted air to premature deaths, currently the foundation of the nation's air-quality laws, could become inadmissible. When gathering data for their research, known as the Six Cities study, scientists signed confidentiality agreements to track the private medical and occupational histories of more than 22,000 people in six cities. They combined that personal data with home air-quality data to study the link between chronic exposure to air pollution and mortality.

But the fossil fuel industry and some Republican lawmakers have long criticized the analysis and a similar study by the American Cancer Society, saying the underlying data sets of both were never made public, preventing independent analysis of the conclusions.

The change is part of a broader administration effort to weaken the scientific underpinnings of policymaking. Senior administration officials have tried to water down the testimony of government scientists, publicly chastised scientists who have dissented from President Trump's positions and blocked government researchers from traveling to conferences to present their work.

In this case, the administration is taking aim at public health studies conducted outside the government that could justify tightening regulations on smog in the air, mercury in water, lead in paint and other potential threats to human health.

Scott Pruitt, the former administrator of the E.P.A., had made publication of underlying scientific data a top priority and tried to rush a proposal through the regulatory system in 2018. Mr. Pruitt resigned that July, and his successor, Mr. Wheeler, delayed the transparency rule and suggested the E.P.A. needed time to address the chorus of opposition from environmental and public health groups.

But a draft of the revised regulation headed for White House review and obtained by The New York Times shows that the administration intends to widen its scope, not narrow it.

The previous version of the regulation would have applied only to a certain type of research, "dose-response" studies in which levels of toxicity are studied in animals or humans. The new proposal would require access to the raw data for virtually every study that the E.P.A. considers.

"E.P.A. is proposing a broader applicability," the new regulation states, saying that open data should not be limited to certain types of studies.

Most significantly, the new proposal would apply retroactively. A separate internal E.P.A. memo viewed by The New York Times shows that the agency had considered, but ultimately rejected, an option that might have allowed foundational studies like Harvard's Six Cities study to continue to be used.

An E.P.A. spokeswoman said in an emailed statement, "The agency does not discuss draft, deliberative documents or actions still under internal and interagency review."

On Wednesday, the House Committee on Science, Space and Technology will hold a hearing on the E.P.A.'s efforts. A top pulmonary specialist and a representative of the country's largest nonprofit funder of research on Parkinson's disease, the Michael J. Fox Foundation, are expected to testify that the E.P.A.'s proposed rule would eliminate the use of valuable research showing the dangers of pollution to human health.

Mr. Pruitt's original proposal drew nearly 600,000 comments, the vast majority of them in opposition. Among them were leading public health groups and some of the country's top scientific organizations like the American Association for the Advancement of Science.

The National Association of Pediatric Nurse Practitioners said it was “deeply concerned” that the rule would lead to the exclusion of studies, “ultimately resulting in weaker environmental and health protections and greater risks to children’s health.” The National Center for Science Education said ruling out studies that do not use open data “would send a deeply misleading message, ignoring the thoughtful processes that scientists use to ensure that all relevant evidence is considered.” The Medical Library Association and the Association of Academic Health Science Libraries said the proposal “contradicts our core values.”

Industry groups said the rule would ensure greater public understanding of the science behind regulations that cost consumers money.

“Transparency, reproducibility and application of current scientific knowledge are paramount to providing the foundation required for sound regulations,” the American Chemistry Council wrote to the E.P.A. in support of the plan.

The new version does not appear to have taken any of the opposition into consideration. At a meeting of the agency’s independent science advisory board this summer, Mr. Wheeler said he was “a little shocked” at the amount of opposition to the proposal, but he was committed to finalizing it. Beyond retroactivity, the latest version stipulates that all data and models used in studies under consideration at the E.P.A. would have to be made available to the agency so it can reanalyze research itself. The politically appointed agency administrator would have wide-ranging discretion over which studies to accept or reject.

“It was hard to imagine that they could have made this worse, but they did,” said Michael Halpern, deputy director for the Center for Science and Democracy at the Union of Concerned Scientists, a nonprofit advocacy group. He added, “This is a wholesale politicization of the process.”

Academics are not typically required to turn over private data when submitting studies for peer review by other specialists in the field, or for publication in scientific journals, the traditional ways scientific research is evaluated. If academics were to turn over the raw data to be made available for public review, the E.P.A. would have to spend hundreds of millions of dollars to redact private information, according to one federal estimate.

The Six Cities study and a 1995 American Cancer Society analysis of 1.2 million people that confirmed the Harvard findings appear to be the inspiration of the regulation.

The proposal gives the public 30 days to offer comments on the changes to the E.P.A.’s plan. Agency officials have said they hope to finalize the measure in 2020.

“The original goal was to stop E.P.A. from relying on these two studies unless the data is made public,” said Steven J. Milloy, a member of Mr. Trump’s E.P.A. transition team who runs Junkscience.org, a website that questions established climate change science and contends particulate matter in smog does not harm human health.

He dismissed concerns that the new rule could be used to unravel existing regulations, but he said he did expect it to prevent pollution rules from getting tougher.

“The reality is, standards are not going to be tightened as long as there’s a Republican in office,” he said.

---

**From:** adm15.arwheeler.email <adm15.arwheeler.email@epa.gov>  
**Sent:** Monday, November 11, 2019 7:35 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Subject:** Fwd: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

Can you send me the article please, not a link. I don't have a NYT subscription thanks

Sent from my iPhone

Begin forwarded message:

**From:** "Jackson, Ryan" <jackson.ryan@epa.gov>  
**Date:** November 11, 2019 at 6:31:33 PM EST  
**To:** "adm15.arwheeler.email" <adm15.arwheeler.email@epa.gov>  
**Subject:** Fwd: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

Ryan Jackson  
Chief of Staff  
U.S. EPA

Ex. 6 Personal Privacy (PP)

Begin forwarded message:

**From:** "Schiermeyer, Corry" <schiermeyer.corry@epa.gov>  
**Date:** November 11, 2019 at 6:03:38 PM EST  
**To:** "Abboud, Michael" <abboud.michael@epa.gov>, "Dunlap, David" <dunlap.david@epa.gov>  
**Cc:** "Bolen, Brittany" <bolen.brittany@epa.gov>, "Leopold, Matt (OGC)" <Leopold.Matt@epa.gov>, "Jackson, Ryan" <jackson.ryan@epa.gov>  
**Subject:** Fwd: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

This just posted...

**Subject:** NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

E.P.A. to Tighten Limits on Science Used to Write Public Health Rules  
<https://www.nytimes.com/2019/11/11/climate/epa-science-trump.html?smid=nytcore-ios-share>

Sent from my iPhone



Message

---

**From:** jackson.ryan@epa.gov [jackson.ryan@epa.gov]  
**Sent:** 11/12/2019 4:17:49 AM  
**To:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]; Block, Molly [block.molly@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]  
**CC:** Bolen, Brittany [bolen.brittany@epa.gov]  
**Subject:** Fwd: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative  
**Attachments:** Times article.docx; ATT00001.htm

## Ex. 5 Deliberative Process (DP)

Sent from my iPad

Begin forwarded message:

**From:** "Dunlap, David" <dunlap.david@epa.gov>  
**Date:** November 11, 2019 at 9:22:49 PM EST  
**To:** "Schiermeyer, Corry" <schiermeyer.corry@epa.gov>  
**Cc:** "Abboud, Michael" <abboud.michael@epa.gov>, "Bolen, Brittany" <bolen.brittany@epa.gov>, "Leopold, Matt (OGC)" <Leopold.Matt@epa.gov>, "Jackson, Ryan" <jackson.ryan@epa.gov>, "Block, Molly" <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

See attached for my comments on the Times article.

DDD

David D. Dunlap  
O – 202.564.6620

---

**From:** Dunlap, David  
**Sent:** Monday, November 11, 2019 9:22 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

DDD

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 9:03 PM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

Thank you

---

**From:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Sent:** Monday, November 11, 2019 9:01 PM  
**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 8:44 PM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

Proposed Statement

## Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

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**From:** Dunlap, David <dunlap.david@epa.gov>

**Sent:** Monday, November 11, 2019 8:35 PM

**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>

**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Block, Molly <block.molly@epa.gov>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

As promised. I am flexible and would appreciate your guidance.

DDD

Draft/Deliberative

Proposed Statement

# Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 7:59 PM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

Thank you. I will wait for your updated points. Thanks!

---

**From:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Sent:** Monday, November 11, 2019 7:56 PM  
**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

Corry,

# Ex. 5 Deliberative Process (DP)

I am working up some additional talking points.

DDD

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 7:22 PM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly

<block.molly@epa.gov>

**Subject:** Re: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

## Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Nov 11, 2019, at 6:50 PM, Dunlap, David <dunlap.david@epa.gov> wrote:

I am reviewing.

DDD

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Sent:** Monday, November 11, 2019 6:04 PM  
**To:** Abboud, Michael <abboud.michael@epa.gov>; Dunlap, David <dunlap.david@epa.gov>  
**Cc:** Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>  
**Subject:** Fwd: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

**This just posted...**

**Subject:** NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

E.P.A. to Tighten Limits on Science Used to Write Public Health Rules  
<https://www.nytimes.com/2019/11/11/climate/epa-science-trump.html?smid=nytcore-ios-share>

Sent from my iPhone

Message

---

**From:** jackson.ryan@epa.gov [jackson.ryan@epa.gov]  
**Sent:** 11/12/2019 4:08:38 AM  
**To:** Friedman, Lisa [lisa.friedman@nytimes.com]  
**CC:** Bolen, Brittany [bolen.brittany@epa.gov]; Dunlap, David [dunlap.david@epa.gov]; Schiermeyer, Corry [schiermeyer.corry@epa.gov]  
**Subject:** Re:

Yeah all the best to you. You knew people would be hard to reach today and there's absolutely no rush on putting out this story today versus tomorrow. It's pretty weaselly. That's fine. I really shouldn't care. People who want to believe your paper's stories will and people who won't ignore it. That's all your paper really is at this point. I'd send a copy of the inaccuracies in your story to your editor tomorrow, but I'm sure it will be met with the same lack of concern. Like I said, very professional.

Ryan Jackson  
Chief of Staff  
U.S. EPA

**Ex. 6 Personal Privacy (PP)**

On Nov 11, 2019, at 7:53 PM, Friedman, Lisa <lisa.friedman@nytimes.com> wrote:

Yes, Ryan, I did think four hours was a reasonable window of time to get back to me. As it is we held off until nearly 6 when Corry was able to get back to me with a comment.

I wish it didn't but news happens on holidays too. Everyone who works in journalism and comms knows that. I'm sorry you seem intent on making erroneous assumptions about my state of mind but there's clearly nothing to be done about that. All the best,  
Lisa

On Mon, Nov 11, 2019 at 7:22 PM Jackson, Ryan <jackson.ryan@epa.gov> wrote:

Oh really?

Here's what you emailed:

I'm doing a story today on EPA's supplemental science transparency regulation. Our story will refer to a draft of the supplemental that I am told by several sources is close to being sent to OMB for review. The draft indicates EPA is A) changing the legal justification of the measure to a federal housekeeping statute B) expanding the scope of the measure in several ways including having it apply to all data and models instead of only dose-response data/models and also taking comment on applying retroactively. Finally, I'm aware of an older supplemental in which an option that some staff considered more moderate was removed.

Could someone today speak with me on this? Specifically I'm hoping EPA can explain the new legal justification to me, and offer me some comments/thoughts about why the scope of the transparency measure has been expanded. Finally looking back at one of my interviews with Mr. Wheeler he was pretty clear that this would not apply retroactively, so I'm also interested in EPA's reasoning behind now seeking comments for doing so and what the scientific benefits of such a move would be.

If I can speak to someone by 3 p.m. I'd be appreciative. If you need more time, though, just let me know -- and of course I'm available on my cell to talk.

Ex. 6 Personal Privacy (PP)

Best,

Lisa

It's Veterans Day. No one is in the office. The social media post was commemorating Veteran's day. No one is at the office but that's what you were hoping. That whole 3pm thing, really meant that too I see.

So, no I don't think that's professional.

But that's fine. You can read about the inaccuracies in your story in someone else's paper.

Ryan Jackson  
Chief of Staff  
U.S. EPA

Ex. 6 Personal Privacy (PP)

On Nov 11, 2019, at 6:40 PM, Friedman, Lisa <[lisa.friedman@nytimes.com](mailto:lisa.friedman@nytimes.com)> wrote:

Hi Ryan,

As I told Corry I emailed the entire press staff as soon as I had the documents and assessed them, shortly after 11 am this morning. I sent specific questions and detailed the points that would appear in the story. I didn't get an out of office reply from anyone and had no idea that not a single person was monitoring EPA's press email account. It was only after I repeatedly reached out in an effort ensure that I represented EPA's view that I learned everyone was out.

Mr. Wheeler, I'd note, was tweeting today indicating someone on the comms team was working.

As it was we held off for more than two more hours before publishing so that we could at least get some response in the story. If you have more you want to add tonight please let me know and I'll try to do so.

I have only ever been professional with your office, Ryan and I appreciate the same from you. Happy to talk anytime.

Best

Lisa

On Mon, Nov 11, 2019 at 6:29 PM Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)> wrote:

Hey nice work emailing staff today while they are out of the office on a holiday giving us a deadline for today. We are going to have to blow up your article tomorrow taking the inaccuracies in it apart one by one for everyone else to report on. Happy Veterans Day.

Ryan Jackson  
Chief of Staff  
U.S. EPA

Ex. 6 Personal Privacy (PP)

--

Lisa Friedman  
Reporter, New York Times  
(202) 862-0306 office

Ex. 6 Personal Privacy (PP) } cell

--

Lisa Friedman  
Reporter, New York Times  
(202) 862-0306 office

Ex. 6 Personal Privacy (PP) } cell



Message

---

**From:** jackson.ryan@epa.gov [jackson.ryan@epa.gov]  
**Sent:** 11/12/2019 12:42:40 AM  
**To:** Brazauskas, Joseph [brazauskas.joseph@epa.gov]  
**Subject:** Fwd: Re:

Ryan Jackson  
Chief of Staff  
U.S. EPA

**Ex. 6 Personal Privacy (PP)**

Begin forwarded message:

**From:** "Jackson, Ryan" <jackson.ryan@epa.gov>  
**Date:** November 11, 2019 at 7:22:07 PM EST  
**To:** "Friedman, Lisa" <lisa.friedman@nytimes.com>  
**Cc:** "Bolen, Brittany" <bolen.brittany@epa.gov>, "Dunlap, David" <dunlap.david@epa.gov>, "Schiermeyer, Corry" <schiermeyer.corry@epa.gov>  
**Subject: Re:**

Oh really?

Here's what you emailed:

I'm doing a story today on EPA's supplemental science transparency regulation. Our story will refer to a draft of the supplemental that I am told by several sources is close to being sent to OMB for review. The draft indicates EPA is A) changing the legal justification of the measure to a federal housekeeping statute B) expanding the scope of the measure in several ways including having it apply to all data and models instead of only dose-response data/models and also taking comment on applying retroactively. Finally, I'm aware of an older supplemental in which an option that some staff considered more moderate was removed.

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Ex. 6 Personal Privacy (PP)

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Ryan Jackson  
Chief of Staff  
U.S. EPA

Ex. 6 Personal Privacy (PP)

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Best  
Lisa

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Hey nice work emailing staff today while they are out of the office on a holiday giving us a deadline for today. We are going to have to blow up your article tomorrow taking the inaccuracies in it apart one by one for everyone else to report on. Happy Veterans Day.

Ryan Jackson  
Chief of Staff  
U.S. EPA

Ex. 6 Personal Privacy (PP)

--  
Lisa Friedman  
Reporter, New York Times  
(202) 862-0306 office

Ex. 6 Personal Privacy (PP) cell

Message

---

**From:** jackson.ryan@epa.gov [jackson.ryan@epa.gov]  
**Sent:** 11/12/2019 2:25:30 PM  
**To:** Bolen, Brittany [bolen.brittany@epa.gov]  
**CC:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]; Dunlap, David [dunlap.david@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Leopold, Matt (OGC) [Leopold.Matt@epa.gov]; Block, Molly [block.molly@epa.gov]  
**Subject:** Re: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

Yes.

Ryan Jackson  
Chief of Staff  
U.S. EPA

Ex. 6 Personal Privacy (PP)

On Nov 12, 2019, at 9:21 AM, Bolen, Brittany <bolen.brittany@epa.gov> wrote:

## Ex. 5 Deliberative Process (DP)

**From:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Sent:** Tuesday, November 12, 2019 9:18 AM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>; Dunlap, David <dunlap.david@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

David,

## Ex. 5 Deliberative Process (DP)

Thank you!

---

**From:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Sent:** Tuesday, November 12, 2019 9:00 AM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Dunlap, David <dunlap.david@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Block, Molly <block.molly@epa.gov>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

Fantastic. Can you compare notes? Huge thanks for the rapid turn around. Let's get this to competitors.

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>

**Sent:** Tuesday, November 12, 2019 8:56 AM

**To:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>

**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

I pulled from what David did...please see attached...

---

**From:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>

**Sent:** Tuesday, November 12, 2019 8:25 AM

**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>; Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>

**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

This is hugely helpful.

---

**From:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>

**Sent:** Monday, November 11, 2019 9:23 PM

**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>

**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

See attached for my comments on the Times article.

DDD

David D. Dunlap  
O – 202.564.6620

---

**From:** Dunlap, David

**Sent:** Monday, November 11, 2019 9:22 PM

**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>

**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

DDD

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 9:03 PM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

Thank you

---

**From:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Sent:** Monday, November 11, 2019 9:01 PM  
**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

David D. Dunlap  
O – 202.564.6620

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**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 8:44 PM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

Proposed Statement

# Ex. 5 Deliberative Process (DP)

---

**From:** Dunlap, David <dunlap.david@epa.gov>

**Sent:** Monday, November 11, 2019 8:35 PM

**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>

**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Block, Molly <molly@epa.gov>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

As promised. I am flexible and would appreciate your guidance.

DDD

Draft/Deliberative

Proposed Statement

# Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 7:59 PM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

Thank you. I will wait for your updated points. Thanks!

---

**From:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Sent:** Monday, November 11, 2019 7:56 PM  
**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

Corry,

# Ex. 5 Deliberative Process (DP)

I am working up some additional talking points.

DDD



David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 7:22 PM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** Re: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

## Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Nov 11, 2019, at 6:50 PM, Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)> wrote:

I am reviewing.

DDD

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 6:04 PM  
**To:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>  
**Subject:** Fwd: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

This just posted...

**Subject:** NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

E.P.A. to Tighten Limits on Science Used to Write Public Health Rules  
<https://www.nytimes.com/2019/11/11/climate/epa-science-trump.html?smid=nytcore-ios-share>

Sent from my iPhone

Message

---

**From:** Bolen, Brittany [bolen.brittany@epa.gov]  
**Sent:** 11/12/2019 11:17:05 AM  
**To:** Jackson, Ryan [jackson.ryan@epa.gov]  
**Subject:** Re: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

**Ex. 5 Deliberative Process (DP)**

Sent from my iPhone

On Nov 11, 2019, at 11:13 PM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

**Ex. 5 Deliberative Process (DP)**

Sent from my iPad

Begin forwarded message:

**From:** "Dunlap, David" <dunlap.david@epa.gov>  
**Date:** November 11, 2019 at 9:22:49 PM EST  
**To:** "Schiermeyer, Corry" <schiermeyer.corry@epa.gov>  
**Cc:** "Abboud, Michael" <abboud.michael@epa.gov>, "Bolen, Brittany" <bolen.brittany@epa.gov>, "Leopold, Matt (OGC)" <Leopold.Matt@epa.gov>, "Jackson, Ryan" <jackson.ryan@epa.gov>, "Block, Molly" <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

See attached for my comments on the Times article.

DDD

David D. Dunlap  
O – 202.564.6620

---

**From:** Dunlap, David  
**Sent:** Monday, November 11, 2019 9:22 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

**Ex. 5 Deliberative Process (DP)**

DDD

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 9:03 PM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

Thank you

---

**From:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Sent:** Monday, November 11, 2019 9:01 PM  
**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 8:44 PM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

Proposed Statement

## Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

---

**From:** Dunlap, David <dunlap.david@epa.gov>

**Sent:** Monday, November 11, 2019 8:35 PM

**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>

**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Block, Molly <block.molly@epa.gov>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

As promised. I am flexible and would appreciate your guidance.

DDD

Draft/Deliberative

Proposed Statement

## Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 7:59 PM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

Thank you. I will wait for your updated points. Thanks!

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**From:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Sent:** Monday, November 11, 2019 7:56 PM  
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**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

Corry,

# Ex. 5 Deliberative Process (DP)

I am working up some additional talking points.

DDD

David D. Dunlap  
O – 202.564.6620

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**Subject:** Re: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

## Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Nov 11, 2019, at 6:50 PM, Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)> wrote:

I am reviewing.

DDD

David D. Dunlap  
O – 202.564.6620

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**To:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>  
**Subject:** Fwd: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

This just posted...

**Subject:** NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

<https://www.nytimes.com/2019/11/11/climate/epa-science-trump.html?smid=nytcore-ios-share>

Sent from my iPhone

<Times article.docx>

Message

---

**From:** Rodrick, Christian [rodrick.christian@epa.gov]  
**Sent:** 11/12/2019 5:04:51 PM  
**To:** Jackson, Ryan [jackson.ryan@epa.gov]; Brazauskas, Joseph [brazauskas.joseph@epa.gov]; Kolb, John (JohnMark) [kolb.john@epa.gov]; Edwards, John (Holt) [edwards.john@epa.gov]; Frye, Tony (Robert) [frye.robert@epa.gov]; Voyles, Travis [Voyles.Travis@epa.gov]  
**Subject:** RE: The New York Times' Several Glaring Inaccuracies "That's Fit To Print"

Yes sir—on it.

*Christian Rodrick*  
(202) 564-4828

---

**From:** Jackson, Ryan  
**Sent:** Tuesday, November 12, 2019 12:02 PM  
**To:** Brazauskas, Joseph <brazauskas.joseph@epa.gov>; Rodrick, Christian <rodrick.christian@epa.gov>; Kolb, John (JohnMark) <kolb.john@epa.gov>; Edwards, John (Holt) <edwards.john@epa.gov>; Frye, Tony (Robert) <frye.robert@epa.gov>  
**Subject:** FW: The New York Times' Several Glaring Inaccuracies "That's Fit To Print"  
**Importance:** High

Distribute please.

---

**From:** EPA Press Office <press@epa.gov>  
**Sent:** Tuesday, November 12, 2019 12:00 PM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Subject:** The New York Times' Several Glaring Inaccuracies "That's Fit To Print"



U.S. ENVIRONMENTAL PROTECTION AGENCY  
**NEWS RELEASE**  
WWW.EPA.GOV/NEWSROOM

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## The New York Times' Several Glaring Inaccuracies "That's Fit To Print"

WASHINGTON (Nov. 12, 2019) — Late yesterday, the New York Times published a story ***EPA to Limit Science Used to Write Public Health Rules***, that has numerous errors and is based on leaked preliminary, draft documents that are not accurate and do not include the final text submitted to the Office of Management and Budget (OMB) for interagency review.

On Friday, Nov. 8, the U.S. Environmental Protection Agency (EPA) delivered to OMB a draft supplemental federal register notice (FRN) to clarify, modify and supplement



certain provisions included in the 2018 proposed “Strengthening Transparency in Regulatory Science” rule. The 2018 proposed rule solicited comment on all aspects of the proposed rule. This supplemental FRN solicits comment only on the changes and additions to the proposed regulatory text discussed in this supplemental notice. The agency still intends to issue a final rule in 2020. This final rule will take into account the comments received in response to both the 2018 proposed rule and this supplemental FRN as well as those submitted by the Science Advisory Board.

EPA recognizes that when it develops significant regulations using public resources, including regulations for which the public is likely to bear the cost of compliance, EPA should ensure that the data and models underlying scientific studies that are pivotal to the regulatory action are available for review and reanalysis. The “Strengthening Transparency in Regulatory Science” rulemaking is designed to increase transparency in the preparation, identification and use of science in rulemaking. When final, this action will ensure that the regulatory science underlying EPA’s actions are made available in a manner sufficient for independent validation.

EPA has not finalized this proposal but responds to the claims alleged as they are not an accurate account of where the proposal stands. **How the New York Times got it wrong:**

The reporter incorrectly reports that “unlike a proposal that surfaced in early 2018, this one could apply retroactively to public health regulations already in place.” **This is completely false.** The proposal and supplemental will not apply to any regulations already in place.

The reporter again says the proposal would apply retroactively to existing regulations, **which is completely false.** The supplemental (and the original proposal) allow studies like the Harvard Six City study to be used. The agency has not rejected or otherwise eliminated that option in anyway in its original proposal or supplemental. In fact, the supplemental makes it even clearer that such studies must be properly considered and takes comment from the public on this issue.

Additionally, they report that this “would require scientists to disclose all of their raw data, including confidential medical records.” **This is not true.** In the originally proposed regulation and in the leaked supplemental, EPA maintains protecting confidential personal information just as other federal health agencies regularly do. The reporter clearly does not understand the terms in the context of science transparency.

**The story continues with more false information.** The reporter writes: “The measure would make it more difficult to enact new clean air and water rules...” **This is just wrong.** The reality is that the supplemental addresses this concern and clarifies points that were not entirely made clear in the original proposal. If the reporter had truly read the *outdated* leaked draft she would have read a discussion of how scientists across the country have already approved methods to gain access to a study’s underlying data that contains personal information without revealing the identity of the individuals.

The article continues with more misleading and false information. The reporter writes: “The change is part of a broader administration effort to weaken the scientific underpinnings of policymaking.” **Science transparency does not weaken science, quite the contrary.** By requiring transparency, scientists will be required to publish hypothesis and experimental data for other scientists to review and discuss, requiring the science to withstand skepticism and peer review.

In fact, EPA currently has transparency rules in place for its intramural research and extramural grants. **Non-government funded research should also be subject to transparency requirements.** When finalized, the science transparency rule will ensure that all important studies underlying significant regulatory actions at the EPA, regardless of their source, are subject to a transparent review by qualified scientists.

The article continues with inaccurate information. The reporter writes: “The new version does not appear to have taken any of the opposition into consideration.” **This is just bad reporting. It is completely misleading, and lacks the understanding of the rule making process.** A supplemental to a proposed rule is not a ‘new’ rule and is not intended to address comments to a proposal. The public will have the ability to comment on the supplemental just as they did for the proposal. The final rule will address all comments.

Additionally, the reporter incorrectly states that: “The politically appointed agency administrator would have wide-ranging discretion over which studies to accept or reject.” **This is completely false.** The rule requires transparency but gives the EPA Administrator the discretion to use studies when information is not available. However, this should be the exception instead of the way of EPA doing business.

The reporter again inaccurately reports on the meaning of “raw data.” The supplemental seeks public comment on any changes to the scope. Once again, **the reporter confuses the situation by using “raw data,” which is clarified in the supplemental.**

In the first paragraph, they report that “the new rule would...” **This is not a new rule.** What was submitted to OMB is a supplemental to the 2018 proposed rule. In the next paragraph, they continue to misreport by calling this a “new draft.” Again, this is not a new rule, this is supplemental to the 2018 proposal.

And finally, the reporter writes: “Academics are not typically required to turn over private data when submitting studies for peer review...” The scientific community is increasingly interested in increasing transparency in research. Several academic journals, including the Public Library of Science and the Annals of Internal Medicine already have a publication condition requiring authors to make their data available upon request and many institutions, including Yale and Harvard universities, are making strides in creating publicly accessible repositories of research and clinical data.

\*\*\*\*\*

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1200 Pennsylvania Avenue Northwest  
Washington, D.C. 20004

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**From:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]  
**Sent:** 11/12/2019 3:13:01 PM  
**To:** Jackson, Ryan [jackson.ryan@epa.gov]  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

**From:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Sent:** Tuesday, November 12, 2019 10:12 AM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

**From:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Sent:** Tuesday, November 12, 2019 10:11 AM  
**To:** Dunlap, David <dunlap.david@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Block, Molly <molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

Please edit this version. **Ex. 5 Deliberative Process (DP)**

Please see the red highlighted. **Ex. 5 Deliberative Process (DP)**

Thank you!!!

**From:** Dunlap, David <dunlap.david@epa.gov>  
**Sent:** Tuesday, November 12, 2019 9:31 AM  
**To:** Bolen, Brittany <bolen.brittany@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Block, Molly <molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

I started editing the version that Ryan sent around. I need to hop into a meeting for 30 and then I'll be back on line.

DDD

David D. Dunlap  
O – 202.564.6620

**From:** Bolen, Brittany <bolen.brittany@epa.gov>  
**Sent:** Tuesday, November 12, 2019 9:21 AM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Dunlap, David <dunlap.david@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Block, Molly

<block.molly@epa.gov>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

**From:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>

**Sent:** Tuesday, November 12, 2019 9:18 AM

**To:** Jackson, Ryan <jackson.ryan@epa.gov>; Dunlap, David <dunlap.david@epa.gov>

**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Block, Molly <block.molly@epa.gov>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

David,

## Ex. 5 Deliberative Process (DP)

Thank you!

**From:** Jackson, Ryan <jackson.ryan@epa.gov>

**Sent:** Tuesday, November 12, 2019 9:00 AM

**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Dunlap, David <dunlap.david@epa.gov>

**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Block, Molly <block.molly@epa.gov>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

Fantastic. Can you compare notes? Huge thanks for the rapid turn around. Let's get this to competitors.

**From:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>

**Sent:** Tuesday, November 12, 2019 8:56 AM

**To:** Jackson, Ryan <jackson.ryan@epa.gov>; Dunlap, David <dunlap.david@epa.gov>

**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Block, Molly <block.molly@epa.gov>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

I pulled from what David did...please see attached...

**From:** Jackson, Ryan <jackson.ryan@epa.gov>

**Sent:** Tuesday, November 12, 2019 8:25 AM

**To:** Dunlap, David <dunlap.david@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>

**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Block, Molly <block.molly@epa.gov>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

This is hugely helpful.

---

**From:** Dunlap, David <dunlap.david@epa.gov>  
**Sent:** Monday, November 11, 2019 9:23 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

See attached for my comments on the Times article.

DDD

David D. Dunlap  
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---

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**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
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**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Block, Molly <block.molly@epa.gov>  
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**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>

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Proposed Statement

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**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

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DDD

Draft/Deliberative

Proposed Statement

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David D. Dunlap  
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**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

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DDD

David D. Dunlap  
O – 202.564.6620

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**Subject:** Re: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

## Ex. 5 Deliberative Process (DP)

Sent from my iPhone

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I am reviewing.

DDD

David D. Dunlap  
O – 202.564.6620

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**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 6:04 PM  
**To:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>  
**Subject:** Fwd: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

This just posted...

**Subject:** NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

E.P.A. to Tighten Limits on Science Used to Write Public Health Rules  
<https://www.nytimes.com/2019/11/11/climate/epa-science-trump.html?smid=nytcore-ios-share>

Sent from my iPhone

Message

---

**Sent:** 11/12/2019 1:51:31 AM  
**To:** Miranda Green [mgreen@thehill.com]  
**Subject:** RE: Comment on Nytimes piece

We will probably have more tomorrow...but for now:

**EPA Spokesperson:**

The New York Times is reporting off leaked preliminary, draft documents and their story has numerous errors.

On Friday, November 8, EPA delivered to OMB a draft supplemental federal register notice (FRN) to clarify, modify and supplement certain provisions included in the 2018 proposed Strengthening Transparency in Regulatory Science rule. The 2018 proposed rule solicited comment on all aspects of the proposed rule. This supplemental FRN solicits comment only on the changes and additions to the proposed regulatory text discussed in this supplemental notice. The Agency still intends to issue a final rule in 2020. This final rule will take into account the comments received in response to both the 2018 proposed rule and this supplemental FRN as well as those submitted by the Science Advisory Board.

**From:** Miranda Green <mgreen@thehill.com>  
**Sent:** Monday, November 11, 2019 7:45 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Subject:** Re: Comment on Nytimes piece

I just published. Will add in any response you give. Thanks.

On Mon, Nov 11, 2019 at 7:32 PM Schiermeyer, Corry <schiermeyer.corry@epa.gov> wrote:

What's your deadline?  
Working on trying to get you an answer.

Sent from my iPhone

On Nov 11, 2019, at 7:11 PM, Miranda Green <mgreen@thehill.com> wrote:

Looking for a comment on tonight's NYtimes piece reporting on the latest draft of the science transparency rule.

<https://www.nytimes.com/2019/11/11/climate/epa-science-trump.html?action=click&module=Top%20Stories&pgtype=Homepage>

Can you confirm the legitimacy of the draft and provide comment on the reason for the change to expand requested raw data from scientific studies in the draft?

Thanks,  
Miranda

--

Miranda Green  
Energy and Environment Reporter, The Hill

Ex. 6 Personal Privacy (PP)

[mgreen@thehill.com](mailto:mgreen@thehill.com)

@mirandacgreen

--

Miranda Green  
Energy and Environment Reporter, The Hill

Ex. 6 Personal Privacy (PP)

[mgreen@thehill.com](mailto:mgreen@thehill.com)

@mirandacgreen

**From:** schiermeyer.corry@epa.gov [schiermeyer.corry@epa.gov]  
**Sent:** 11/12/2019 4:28:44 PM  
**To:** Puko, Tim [tim.puko@wsj.com]  
**CC:** Abboud, Michael [abboud.michael@epa.gov]  
**Subject:** Re: NYT gets it wrong

Ok...we will definitely come back to you after this goes through interagency review.

If you do decide to write on the inaccurate leaked documents, please let me know...as what the NYT has, is not what was sent.

Sent from my iPhone

On Nov 12, 2019, at 11:25 AM, Puko, Tim <tim.puko@wsj.com> wrote:

If we can't have what was drafted and sent to OMB, I don't think this is for us today.

That said, it's still a very interesting and important issue. Maybe we could talk more about it when it is a couple weeks away from being finalized? It would be good to have a sit-down with the people who drafted this to help explain what it does do -- when we have something to look at. I always think that's helpful, to see what's actually written in the proposal first, so I can do some homework first and then ask better questions.

Puko

On Tue, Nov 12, 2019 at 10:41 AM Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)> wrote:

Before we blast this out... would you like to talk to someone on Background...

## NYT Gets it Completely Wrong

**(WASHINGTON)** – The New York Times reporting in their story EPA to *Limit Science Used to Write Public Health Rules* has numerous errors and is based on leaked preliminary, draft documents, that the reporter links to that not accurate and do not include the final text submitted to the Office of Management and Budget (OMB) for interagency review.

On Friday, November 8, EPA delivered to OMB a draft supplemental federal register notice (FRN) to clarify, modify and supplement certain provisions included in the 2018 proposed Strengthening Transparency in Regulatory Science rule. The 2018 proposed rule solicited

comment on all aspects of the proposed rule. This supplemental FRN solicits comment only on the changes and additions to the proposed regulatory text discussed in this supplemental notice. The Agency still intends to issue a final rule in 2020. This final rule will take into account the comments received in response to both the 2018 proposed rule and this supplemental FRN as well as those submitted by the Science Advisory Board.

EPA recognizes that when it develops significant regulations using public resources, including regulations for which the public is likely to bear the cost of compliance, EPA should ensure that the data and models underlying scientific studies that are pivotal to the regulatory action are available for review and reanalysis. The “Strengthening Transparency in Regulatory Science” rulemaking is designed to increase transparency in the preparation, identification and use of science in rulemaking. When final, this action will ensure that the regulatory science underlying EPA’s actions are made available in a manner sufficient for independent validation.

EPA has not finalized this proposal but responds to the claims alleged as they are not an accurate account of where the proposal stands. **How the New York Times got it wrong:**

The reporter incorrectly reports that “unlike a proposal that surfaced in early 2018, this one could apply retroactively to public health regulations already in place.” **This is completely false.** The proposal and supplemental will not apply to any regulations already in place.

The reporter again says the proposal would apply retroactively to existing regulations, **which is completely false.** The supplemental (and the original proposal) allow studies like the Harvard Six City study to be used. The Agency has not rejected or otherwise eliminated that option in anyway in its original proposal or supplemental. In fact, the supplemental makes it even clearer that such studies must be properly considered and takes comment from the public on this issue.

Additionally, they report that this “would require scientists to disclose all of their raw data, including confidential medical records.” **This is not true.** In the originally proposed regulation and in this supplement, EPA maintains protecting confidential personal information just as other federal health agencies regularly do. The reporter clearly does not understand the terms in the context of science transparency.

**The story continues with more false information.** The reporter writes: “The measure would make it more difficult to enact new clean air and water rules...” **This is just wrong.** The reality is that the supplemental addresses this concern and clarifies points that were not entirely made clear in the original proposal. If the reporter had truly read the leaked draft she would have read a discussion of how scientists across the country have already approved methods to gain access to a study’s underlying data that contains personal information without revealing the identity of the individuals.

The article continues with more misleading and false information. The reporter writes: “The change is part of a broader administration effort to weaken the scientific underpinnings of policymaking.” **Science transparency does not weaken science, quite the contrary.** By requiring transparency, scientists will be required to publish hypothesis and experimental data for other scientists to review and discuss, requiring the science to withstand skepticism and peer review.

In fact, EPA currently has transparency rules in place for its intramural research and extramural grants. **Non-government funded research should also be subject to transparency requirements.** When finalized, the Science Transparency rule will ensure that all important studies underlying significant regulatory actions at the EPA, regardless of their source, are subject to a transparent review by qualified scientists.

The article continues with inaccurate information. The reporter writes: “The new version does not appear to have taken any of the opposition into consideration.” **This is just bad reporting. It is completely misleading, and lacks the understanding of the rule making process.** A supplemental to a proposed rule is not a ‘new’ rule and is not intended to address comments to a proposal. The public will have the ability to comment on the supplemental just as they did for the proposal. The final rule will address all comments.

Additionally, the reporter incorrectly states that: The politically appointed agency administrator would have wide-ranging discretion over which studies to accept or reject. **This is completely false.** The rule requires transparency but gives the EPA Administrator the discretion to use studies when information is not publicly available. However, this should be the exception instead of the way of EPA doing business.

The reporter again inaccurately reports on the meaning of “raw data.” The supplemental seeks public for comment on any changes to the scope. Once again, **the reporter confuses the situation by using “raw data,” which is clarified in the supplemental.**

In the first paragraph, they report that “the new rule would...” **This is not a new rule.** What was submitted to OMB is a supplemental to the 2018 proposed rule. In the next paragraph, they continue to misreport by calling this a “new draft.” Again, this is not a new rule, this is supplemental to the 2018 proposal.

And finally, the reporter writes: “Academics are not typically required to turn over private data when submitting studies for peer review...” The scientific community is increasingly interested

in increasing transparency in research. Several academic journals, including the Public Library of Science and the Annals of Internal Medicine already have a publication condition requiring authors to make their data available upon request and many institutions, including Yale and Harvard universities, are making strides in creating publicly accessible repositories of research and clinical data.

Corry Schiermeyer

Associate Administrator

Office of Public Affairs

Environmental Protection Agency

[Schiermeyer.corry@epa.gov](mailto:Schiermeyer.corry@epa.gov)

202-564-6782

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Timothy Puko

REPORTER, ENERGY POLICY

**THE WALL STREET JOURNAL.**

M: Ex. 6 Personal Privacy (PP) ☎: +1 202 862 6631

E: [tim.puko@wsj.com](mailto:tim.puko@wsj.com)

T: @timpuko

A: 1025 Connecticut Ave. NW, Suite 800, Washington, DC 20036

 | **DOW JONES**

Message

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**From:** schiermeyer.corry@epa.gov [schiermeyer.corry@epa.gov]  
**Sent:** 11/11/2019 11:34:09 PM  
**To:** Abboud, Michael [abboud.michael@epa.gov]; Block, Molly [block.molly@epa.gov]  
**Subject:** Fwd:

I will get with Brittany first thing

Sent from my iPhone

Begin forwarded message:

**From:** "Jackson, Ryan" <jackson.ryan@epa.gov>  
**Date:** November 11, 2019 at 6:29:15 PM EST  
**To:** "lisa.friedman@nytimes.com" <lisa.friedman@nytimes.com>  
**Cc:** "Bolen, Brittany" <bolen.brittany@epa.gov>, "Schiermeyer, Corry" <schiermeyer.corry@epa.gov>, "Dunlap, David" <dunlap.david@epa.gov>

Hey nice work emailing staff today while they are out of the office on a holiday giving us a deadline for today. We are going to have to blow up your article tomorrow taking the inaccuracies in it apart one by one for everyone else to report on. Happy Veterans Day.

Ryan Jackson  
Chief of Staff  
U.S. EPA

Ex. 6 Personal Privacy (PP)



Message

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**From:** schiermeyer.corry@epa.gov [schiermeyer.corry@epa.gov]  
**Sent:** 11/11/2019 11:28:04 PM  
**To:** Jackson, Ryan [jackson.ryan@epa.gov]  
**Subject:** Fwd: NYT request - EPA transparency reg

This is what I got this afternoon...she didn't call any of us..just an email.

Sent from my iPhone

Begin forwarded message:

**Subject: NYT request - EPA transparency reg**

Hi Michael,

I'm doing a story today on EPA's supplemental science transparency regulation. Our story will refer to a draft of the supplemental that I am told by several sources is close to being sent to OMB for review. The draft indicates EPA is A) changing the legal justification of the measure to a federal housekeeping statute B) expanding the scope of the measure in several ways including having it apply to all data and models instead of only dose-response data/models and also taking comment on applying retroactively. Finally, I'm aware of an older supplemental in which an option that some staff considered more moderate was removed.

Could someone today speak with me on this? Specifically I'm hoping EPA can explain the new legal justification to me, and offer me some comments/thoughts about why the scope of the transparency measure has been expanded. Finally looking back at one of my interviews with Mr. Wheeler he was pretty clear that this would not apply retroactively, so I'm also interested in EPA's reasoning behind now seeking comments for doing so and what the scientific benefits of such a move would be.

If I can speak to someone by 3 p.m. I'd be appreciative. If you need more time, though, just let me know -- and of course I'm available on my cell to talk Ex. 6 Personal Privacy (PP) Best,  
Lisa

--

Lisa Friedman  
Reporter, New York Times  
(202) 862-0306 office  
Ex. 6 Personal Privacy (PP) cell

Message

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**Sent:** 11/12/2019 2:33:51 PM  
**To:** Bolen, Brittany [bolen.brittany@epa.gov]; Jackson, Ryan [jackson.ryan@epa.gov]; Dunlap, David [dunlap.david@epa.gov]  
**CC:** Abboud, Michael [abboud.michael@epa.gov]; Leopold, Matt (OGC) [Leopold.Matt@epa.gov]; Block, Molly [block.molly@epa.gov]  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

Does this work:

## Ex. 5 Deliberative Process (DP)

---

**From:** Bolen, Brittany <bolen.brittany@epa.gov>  
**Sent:** Tuesday, November 12, 2019 9:21 AM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Dunlap, David <dunlap.david@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

---

**From:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Sent:** Tuesday, November 12, 2019 9:18 AM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>; Dunlap, David <dunlap.david@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

David,

## Ex. 5 Deliberative Process (DP)

Thank you!

---

**From:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Sent:** Tuesday, November 12, 2019 9:00 AM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Dunlap, David <dunlap.david@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

Fantastic. Can you compare notes? Huge thanks for the rapid turn around. Let's get this to competitors.

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>

**Sent:** Tuesday, November 12, 2019 8:56 AM

**To:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>

**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

I pulled from what David did...please see attached...

---

**From:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>

**Sent:** Tuesday, November 12, 2019 8:25 AM

**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>; Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>

**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

This is hugely helpful.

---

**From:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>

**Sent:** Monday, November 11, 2019 9:23 PM

**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>

**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

See attached for my comments on the Times article.

DDD

David D. Dunlap

O – 202.564.6620

---

**From:** Dunlap, David

**Sent:** Monday, November 11, 2019 9:22 PM

**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>

**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

DDD

David D. Dunlap

O – 202.564.6620

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**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 9:03 PM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

Thank you

---

**From:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Sent:** Monday, November 11, 2019 9:01 PM  
**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

David D. Dunlap  
O – 202.564.6620

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**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 8:44 PM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

Proposed Statement

## Ex. 5 Deliberative Process (DP)

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**From:** Dunlap, David <dunlap.david@epa.gov>

**Sent:** Monday, November 11, 2019 8:35 PM

**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>

**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Block, Molly <block.molly@epa.gov>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

As promised. I am flexible and would appreciate your guidance.

DDD

Draft/Deliberative

Proposed Statement

## **Ex. 5 Deliberative Process (DP)**

## **Ex. 5 Deliberative Process (DP)**

David D. Dunlap  
O – 202.564.6620

ED\_004046\_00000634-00004

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**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 7:59 PM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

Thank you. I will wait for your updated points. Thanks!

---

**From:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Sent:** Monday, November 11, 2019 7:56 PM  
**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

Corry,

## Ex. 5 Deliberative Process (DP)

I am working up some additional talking points.

DDD

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 7:22 PM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** Re: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

## Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Nov 11, 2019, at 6:50 PM, Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)> wrote:

I am reviewing.

DDD

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 6:04 PM  
**To:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>  
**Subject:** Fwd: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

**This just posted...**

**Subject: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules**

E.P.A. to Tighten Limits on Science Used to Write Public Health Rules  
<https://www.nytimes.com/2019/11/11/climate/epa-science-trump.html?smid=nytcore-ios-share>

Sent from my iPhone

Message

---

**From:** schiermeyer.corry@epa.gov [schiermeyer.corry@epa.gov]  
**Sent:** 11/11/2019 11:05:03 PM  
**To:** Wallace, Gregory [gregory.wallace@turner.com]  
**Subject:** Re: question on scientific transparency regulations

EPA is committed to science transparency and is continuing its internal rule making development process for this action. Under The Trump Administration, EPA is focused on providing certainty to the American public on how rules and regulations are being developed.

Sent from my iPhone

On Nov 11, 2019, at 6:03 PM, Wallace, Gregory <gregory.wallace@turner.com> wrote:

Good evening,

I understand the New York Times is reporting on a draft of the scientific transparency regulations this evening.

Do you have any comment on the report and where the regulation stands?

Thank you,  
Greg

Gregory Wallace  
CNN  
202-738-3113



Message

---

**From:** schiermeyer.corry@epa.gov [schiermeyer.corry@epa.gov]  
**Sent:** 11/11/2019 10:17:42 PM  
**To:** Friedman, Lisa [lisa.friedman@nytimes.com]  
**CC:** Abboud, Michael [abboud.michael@epa.gov]  
**Subject:** Re: hi everyone - just trying again

EPA is committed to science transparency and has submitted the supplemental which will be posted in the federal register following internal review. Under the Trump Administration, EPA is focused on providing certainty to the American public on how rules and regulations are being developed.

Sent from my iPhone

On Nov 11, 2019, at 4:36 PM, Friedman, Lisa <lisa.friedman@nytimes.com> wrote:

Yes, thank you. I used a healthy chunk of his comments up high in the story.

On Mon, Nov 11, 2019 at 4:34 PM Schiermeyer, Corry <schiermeyer.corry@epa.gov> wrote:  
When I'm back at my computer I will see. I know he was clear on the importance of science transparency and on commented on the timing of the supplemental.

Sent from my iPhone

On Nov 11, 2019, at 4:23 PM, Friedman, Lisa <lisa.friedman@nytimes.com> wrote:

I did - if there's something specific you want to point me toward that you think particularly speaks to EPA's thinking on this reg? I really do want to make sure I represent accurately the agency's position on this measure and why he thinks its important to put forward.

On Mon, Nov 11, 2019 at 4:17 PM Schiermeyer, Corry  
<schiermeyer.corry@epa.gov> wrote:

Did you also review the Administrator's testimony from the hearing in September before House Science committee? He makes some mention of the rule.

Sent from my iPhone

On Nov 11, 2019, at 4:02 PM, Friedman, Lisa  
<lisa.friedman@nytimes.com> wrote:

many thanks

On Mon, Nov 11, 2019 at 4:00 PM Schiermeyer, Corry  
<[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)> wrote:

I'm trying to track down some answers for you.

Sent from my iPhone

On Nov 11, 2019, at 3:56 PM, Friedman, Lisa  
<[lisa.friedman@nytimes.com](mailto:lisa.friedman@nytimes.com)> wrote:

That's absolutely not true, Corry, and I'm sorry you have that sense. I am working today and emailed you as soon as I read and assessed the documents I obtained. I then followed up twice when I didn't hear back. Happy to discuss over the phone as well.

Best

Lisa

On Mon, Nov 11, 2019 at 3:51 PM Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)> wrote:

I find this highly irresponsible as it seems you have been working on this story for more than today and waited until a federal holiday to reach out to us.

Sent from my iPhone

On Nov 11, 2019, at 3:48 PM,  
Friedman, Lisa  
<[lisa.friedman@nytimes.com](mailto:lisa.friedman@nytimes.com)>  
wrote:

Hi Corry - you can have till COB today but we're going to put the story up sooner than that; I'll add EPA's comments if/when I get them.

Lisa

On Mon, Nov 11, 2019 at 3:38 PM Schiermeyer, Corry

<[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>

wrote:

Hello Lisa,

Just seeing this as it is a Federal Holiday and we are closed. I am uncertain if I can get anyone today.

Did you just get this info today?

Sent from my iPhone

> On Nov 11, 2019, at 3:17 PM,  
Friedman, Lisa

<[lisa.friedman@nytimes.com](mailto:lisa.friedman@nytimes.com)>

wrote:

>

>

> I sent a request this morning regarding the transparency in science supplemental but haven't heard back from anyone. I'm bearing down on deadline -- if you've got an ETA for me I'll tell my editors to hold off a bit but pls lmk.

>

> --

> Lisa Friedman

> Reporter, New York Times

> (202) 862-0306 office

> Ex. 6 Personal Privacy (PP) cell

>

--

Lisa Friedman

Reporter, New York Times

(202) 862-0306 office

Ex. 6 Personal Privacy (PP) cell

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Lisa Friedman

Reporter, New York Times

(202) 862-0306 office

Ex. 6 Personal Privacy (PP) cell

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Lisa Friedman  
Reporter, New York Times  
(202) 862-0306 office  
[Ex. 6 Personal Privacy (PP)] cell

--  
Lisa Friedman  
Reporter, New York Times  
(202) 862-0306 office  
[Ex. 6 Personal Privacy (PP)] cell

--  
Lisa Friedman  
Reporter, New York Times  
(202) 862-0306 office  
[Ex. 6 Personal Privacy (PP)] cell

Message

---

**From:** Wallace, Gregory [gregory.wallace@turner.com]  
**Sent:** 11/12/2019 2:32:36 AM  
**To:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]  
**Subject:** Re: question on scientific transparency regulations

Got it. Thank you.

On Nov 11, 2019, at 9:07 PM, Schiermeyer, Corry <schiermeyer.corry@epa.gov> wrote:

May have more tomorrow...

**EPA Spokesperson:**

The New York Times reporting has numerous errors and is based on a leaked preliminary, draft version of the Supplemental, not the actual text submitted to OMB.

On Friday, November 8, EPA delivered to OMB a draft supplemental federal register notice (FRN) to clarify, modify and supplement certain provisions included in the 2018 proposed Strengthening Transparency in Regulatory Science rule. The 2018 proposed rule solicited comment on all aspects of the proposed rule. This supplemental FRN solicits comment only on the changes and additions to the proposed regulatory text discussed in this supplemental notice. The Agency still intends to issue a final rule in 2020. This final rule will take into account the comments received in response to both the 2018 proposed rule and this supplemental FRN as well as those submitted by the Science Advisory Board.

---

**From:** Wallace, Gregory <gregory.wallace@turner.com>  
**Sent:** Monday, November 11, 2019 8:03 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Subject:** Re: question on scientific transparency regulations

Hi Corry,

Thanks for the update. I will share that with the editors who are working on this story, because I certainly believe they would want to update inaccuracies. (I would.)

Do you have any characterization of what is inaccurate, or do you have the text of the policy itself, and we'll report off of the real thing?

Thank you,  
Greg

---

**From:** "Schiermeyer, Corry" <schiermeyer.corry@epa.gov>  
**Date:** Monday, November 11, 2019 at 7:50 PM  
**To:** "Wallace, Gregory" <gregory.wallace@turner.com>  
**Subject:** RE: question on scientific transparency regulations

Hello Greg,

I am trying to get more info...as there are apparently a number of inaccuracies in the NYT article. Will you update when I have something more?

---

**From:** Wallace, Gregory <[gregory.wallace@turner.com](mailto:gregory.wallace@turner.com)>  
**Sent:** Monday, November 11, 2019 6:18 PM  
**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Subject:** Re: question on scientific transparency regulations

Thank you very much, Corry.

---

**From:** "Schiermeyer, Corry" <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Date:** Monday, November 11, 2019 at 6:08 PM  
**To:** "Wallace, Gregory" <[gregory.wallace@turner.com](mailto:gregory.wallace@turner.com)>  
**Subject:** Re: question on scientific transparency regulations

EPA Spokesperson:

EPA is committed to science transparency and is working to finalize the supplemental in 2020. Under The Trump Administration, EPA is focused on providing certainty to the American public on the science being used in developing rules and regulations.

Sent from my iPhone

On Nov 11, 2019, at 6:03 PM, Wallace, Gregory <[gregory.wallace@turner.com](mailto:gregory.wallace@turner.com)> wrote:

Good evening,

I understand the New York Times is reporting on a draft of the scientific transparency regulations this evening.

Do you have any comment on the report and where the regulation stands?

Thank you,  
Greg

Gregory Wallace  
CNN  
202-738-3113

Message

---

**From:** Dunlap, David [dunlap.david@epa.gov]  
**Sent:** 11/12/2019 6:40:02 PM  
**To:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]  
**Subject:** Re: The New York Times' Several Glaring Inaccuracies "That's Fit To Print"

Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Nov 12, 2019, at 1:28 PM, Schiermeyer, Corry <schiermeyer.corry@epa.gov> wrote:

Ex. 5 Deliberative Process (DP)

---

**From:** Hale, Zack <zack.hale@spglobal.com>  
**Sent:** Tuesday, November 12, 2019 1:25 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: The New York Times' Several Glaring Inaccuracies "That's Fit To Print"

As a follow-up (on background if necessary), can EPA say whether the "all data and models option" in the supplemental is the agency's preferred option?

---

**From:** Hale, Zack  
**Sent:** Tuesday, November 12, 2019 12:32 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: The New York Times' Several Glaring Inaccuracies "That's Fit To Print"

Thanks Corry,

For context, my question was specifically related to this section of the draft supplemental (emphasis mine):

The first additional alternate option EPA is proposing would be to use the public availability of the data and models as an important factor in determining whether the agency should utilize certain studies. Whether the underlying data for a study or the computer code or data underlying a model were publicly available would be weighed with the other assessment factors identified in Unit IV.A of this preamble to determine whether the studies based on the data or could be used as pivotal regulatory science. **This would apply to all data and models regardless of when they were generated (i. e., when the development of the data set or model has been completed or updated).**

---

**From:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Sent:** Tuesday, November 12, 2019 12:23 PM  
**To:** Hale, Zack <zack.hale@spglobal.com>; Press <Press@epa.gov>  
**Subject:** RE: The New York Times' Several Glaring Inaccuracies "That's Fit To Print"

Hello Zack,

The reporter incorrectly reports that “unlike a proposal that surfaced in early 2018, this one could apply retroactively to public health regulations already in place.” **This is completely false.** The proposal and supplemental will not apply to any regulations already in place.

The reporter again says the proposal would apply retroactively to existing regulations, **which is completely false.** The supplemental (and the original proposal) allow studies like the Harvard Six City study to be used. The agency has not rejected or otherwise eliminated that option in anyway in its original proposal or supplemental. In fact, the supplemental makes it even clearer that such studies must be properly considered and takes comment from the public on this issue.

---

**From:** Hale, Zack <[zack.hale@spglobal.com](mailto:zack.hale@spglobal.com)>

**Sent:** Tuesday, November 12, 2019 12:16 PM

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** RE: The New York Times' Several Glaring Inaccuracies "That's Fit To Print"

Hello,

I just wanted to clarify – under the supplemental, one option that EPA has proposed is to make the proposed transparency rule’s requirements apply retroactively to previous studies used in developing existing agency rules, correct?

Thanks,

**Zack Hale**

Reporter, Energy



1700 North Moore Street, Suite 1110

Arlington, VA 22209

O: 703.373.0167 M: Ex. 6 Personal Privacy (PP)

[zack.hale@spglobal.com](mailto:zack.hale@spglobal.com)

Twitter: [@zackhale](https://twitter.com/zackhale)

[www.spglobal.com](http://www.spglobal.com)

[LinkedIn](#) | [Twitter](#)

---

**From:** EPA Press Office <[press@epa.gov](mailto:press@epa.gov)>

**Sent:** Tuesday, November 12, 2019 12:00 PM

**To:** Hale, Zack <[zack.hale@spglobal.com](mailto:zack.hale@spglobal.com)>

**Subject:** The New York Times' Several Glaring Inaccuracies "That's Fit To Print"



U.S. ENVIRONMENTAL PROTECTION AGENCY

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## The New York Times' Several Glaring Inaccuracies "That's Fit To Print"

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**WASHINGTON** (Nov. 12, 2019) — Late yesterday, the New York Times published a story ***EPA to Limit Science Used to Write Public Health Rules***, that has numerous errors and is based on leaked preliminary, draft documents that are not accurate and do not include the final text submitted to the Office of Management and Budget (OMB) for interagency review.

On Friday, Nov. 8, the U.S. Environmental Protection Agency (EPA) delivered to OMB a draft supplemental federal register notice (FRN) to clarify, modify and supplement certain provisions included in the 2018 proposed “Strengthening Transparency in Regulatory Science” rule. The 2018 proposed rule solicited comment on all aspects of the proposed rule. This supplemental FRN solicits comment only on the changes and additions to the proposed regulatory text discussed in this supplemental notice. The agency still intends to issue a final rule in 2020. This final rule will take into account the comments received in response to both the 2018 proposed rule and this supplemental FRN as well as those submitted by the Science Advisory Board.

EPA recognizes that when it develops significant regulations using public resources, including regulations for which the public is likely to bear the cost of compliance, EPA should ensure that the data and models underlying scientific studies that are pivotal to the regulatory action are available for review and reanalysis. The “Strengthening Transparency in Regulatory Science” rulemaking is designed to increase transparency in the preparation, identification and use of science in rulemaking. When final, this action will ensure that the regulatory science underlying EPA’s actions are made available in a manner sufficient for independent validation.

EPA has not finalized this proposal but responds to the claims alleged as they are not an accurate account of where the proposal stands. **How the New York Times got it wrong:**

The reporter incorrectly reports that “unlike a proposal that surfaced in early 2018, this one could apply retroactively to public health regulations already in place.” **This is completely false.** The proposal and supplemental will not apply to any regulations already in place.

The reporter again says the proposal would apply retroactively to existing regulations, **which is completely false.** The supplemental (and the original proposal) allow studies like the Harvard Six City study to be used. The agency has not rejected or otherwise eliminated that option in anyway in its original proposal or supplemental. In fact, the supplemental makes it even clearer that such studies must be properly considered and takes comment from the public on this issue.

Additionally, they report that this “would require scientists to disclose all of their raw data, including confidential medical records.” **This is not true.** In the originally proposed regulation and in the leaked supplemental, EPA maintains protecting confidential personal information just as other federal health agencies regularly do. The reporter clearly does not understand the terms in the context of science transparency.

**The story continues with more false information.** The reporter writes: “The measure would make it more difficult to enact new clean air and water rules...” **This is just wrong.** The reality is that the supplemental addresses this concern and clarifies points that were not entirely made clear in the original proposal. If the reporter had truly read the *outdated* leaked draft she would have read a discussion of how scientists across the country have already approved methods to gain access to a study’s underlying data that contains personal information without revealing the identity of the individuals.

The article continues with more misleading and false information. The reporter writes: “The change is part of a broader administration effort to weaken the scientific underpinnings of policymaking.” **Science transparency does not weaken science, quite the contrary.** By requiring transparency, scientists will be required to publish hypothesis and experimental data for other scientists to review and discuss, requiring the science to withstand skepticism and peer review.

In fact, EPA currently has transparency rules in place for its intramural research and extramural grants. **Non-government funded research should also be subject to transparency requirements.** When finalized, the science transparency rule will ensure that all important studies underlying significant regulatory actions at the EPA, regardless of their source, are subject to a transparent review by qualified scientists.

The article continues with inaccurate information. The reporter writes: “The new version does not appear to have taken any of the opposition into consideration.” **This is just bad reporting. It is completely misleading, and lacks the understanding of the rule making process.** A supplemental to a proposed rule is not a ‘new’ rule and is not intended to address comments to a proposal. The public will have the ability to comment on the supplemental just as they did for the proposal. The final rule will address all comments.

Additionally, the reporter incorrectly states that: “The politically appointed agency administrator would have wide-ranging discretion over which studies to accept or reject.” **This is completely false.** The rule requires transparency but gives the EPA Administrator the discretion to use studies when information is not available. However, this should be the exception instead of the way of EPA doing business.

The reporter again inaccurately reports on the meaning of “raw data.” The supplemental seeks public comment on any changes to the scope. Once again, **the reporter confuses the situation by using “raw data,” which is clarified in the supplemental.**

In the first paragraph, they report that “the new rule would...” **This is not a new rule.** What was submitted to OMB is a supplemental to the 2018 proposed rule. In the next paragraph, they continue to misreport by calling this a “new draft.” Again, this is not a new rule, this is supplemental to the 2018 proposal.

And finally, the reporter writes: “Academics are not typically required to turn over private data when submitting studies for peer review...” The scientific community is increasingly interested in increasing transparency in research. Several academic journals, including the Public Library of Science and the Annals of Internal Medicine already have a publication condition requiring authors to make their data available upon request and many institutions, including Yale and Harvard universities, are making strides in creating publicly accessible repositories of research and clinical data.

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<!--[if !vml]-->

<image002.png>

<!--[endif]-->



U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue Northwest  
Washington, D.C. 20004



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**From:** Courtney Buble [cbuble@govexec.com]  
**Sent:** 11/12/2019 4:31:03 PM  
**To:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]  
**Subject:** Re: Press Inquiry for Article Today

Will your updated statement include more on what you say is wrong in NYT's reporting? Besides, the comments and process for creating the rule, is there anything in regards to the context of the rule that is wrong? (Ex: requiring all data from scientists, applying it retroactively).

On Tue, Nov 12, 2019 at 10:44 AM Courtney Buble <cbuble@govexec.com> wrote:  
Thank you!

On Tue, Nov 12, 2019 at 10:42 AM Schiermeyer, Corry <schiermeyer.corry@epa.gov> wrote:

We will have more, soon...but in the interim:

**EPA Spokesperson:**

The New York Times reporting has numerous errors and is based on a leaked preliminary, draft version of the Supplemental, not the actual text submitted to OMB.

On Friday, November 8, EPA delivered to OMB a draft supplemental federal register notice (FRN) to clarify, modify and supplement certain provisions included in the 2018 proposed Strengthening Transparency in Regulatory Science rule. The 2018 proposed rule solicited comment on all aspects of the proposed rule. This supplemental FRN solicits comment only on the changes and additions to the proposed regulatory text discussed in this supplemental notice. The Agency still intends to issue a final rule in 2020. This final rule will take into account the comments received in response to both the 2018 proposed rule and this supplemental FRN as well as those submitted by the Science Advisory Board.

**From:** Courtney Buble <cbuble@govexec.com>  
**Sent:** Tuesday, November 12, 2019 10:29 AM  
**To:** Press <Press@epa.gov>  
**Subject:** Press Inquiry for Article Today

Good morning,

My name is Courtney Buble and I'm a reporter for Government Executive, a division of Atlantic Media.

I was wondering if you would like to provide a comment for a story I'm doing today on this new draft rule, first reported by *The New York Times*? I will be filing my story at 1:30pm.

Thank you!

--

**Courtney Bublé**

*Staff Correspondent*

Government Executive Media Group

A Division of Atlantic Media

D: (202) 266-7713 | C: Ex. 6 Personal Privacy (PP)

Twitter | @courtneybuble

[www.govexec.com](http://www.govexec.com)

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**Courtney Bublé**

*Staff Correspondent*

Government Executive Media Group

A Division of Atlantic Media

D: (202) 266-7713 | C: Ex. 6 Personal Privacy (PP)

Twitter | @courtneybuble

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--

**Courtney Bublé**

*Staff Correspondent*

Government Executive Media Group

A Division of Atlantic Media

D: (202) 266-7713 | C: Ex. 6 Personal Privacy (PP)

Twitter | @courtneybuble

[www.govexec.com](http://www.govexec.com)

Message

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**From:** Dunlap, David [dunlap.david@epa.gov]  
**Sent:** 11/12/2019 11:35:05 AM  
**To:** Schiermeyer, Corry [schiermeyer.corry@epa.gov]  
**Subject:** Re: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

Other than 10:30-11:00 and 1:30-2:30 I can make myself available.

DDD

Sent from my iPhone

On Nov 12, 2019, at 6:28 AM, Schiermeyer, Corry <schiermeyer.corry@epa.gov> wrote:

## Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Nov 12, 2019, at 6:03 AM, Dunlap, David <dunlap.david@epa.gov> wrote:

Corry,

What can I do to help?

DDD

Sent from my iPhone

On Nov 11, 2019, at 10:21 PM, dunlap.david@epa.gov wrote:

Corry,

## Ex. 5 Deliberative Process (DP)

DDD

Sent from my iPhone

On Nov 11, 2019, at 9:22 PM, Dunlap, David  
<dunlap.david@epa.gov> wrote:

See attached for my comments on the Times article.

DDD

David D. Dunlap  
O – 202.564.6620

---

**From:** Dunlap, David  
**Sent:** Monday, November 11, 2019 9:22 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

DDD

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry  
<schiermeyer.corry@epa.gov>  
**Sent:** Monday, November 11, 2019 9:03 PM  
**To:** Dunlap, David <dunlap.david@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

Thank you

---

**From:** Dunlap, David <dunlap.david@epa.gov>  
**Sent:** Monday, November 11, 2019 9:01 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Block, Molly <block.molly@epa.gov>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on  
Science Used to Write Public Health Rules -  
Draft/Deliberative

## **Ex. 5 Deliberative Process (DP)**

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry  
<[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 8:44 PM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>;  
Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold,  
Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan  
<[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly  
<[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on  
Science Used to Write Public Health Rules -  
Draft/Deliberative

## **Ex. 5 Deliberative Process (DP)**

Proposed Statement

## **Ex. 5 Deliberative Process (DP)**



## Ex. 5 Deliberative Process (DP)

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**From:** Dunlap, David <dunlap.david@epa.gov>  
**Sent:** Monday, November 11, 2019 8:35 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>;  
Bolen, Brittany <bolen.brittany@epa.gov>; Leopold,  
Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan  
<jackson.ryan@epa.gov>; Block, Molly  
<block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on  
Science Used to Write Public Health Rules -  
Draft/Deliberative

As promised. I am flexible and would appreciate your  
guidance.

DDD

Draft/Deliberative

### Proposed Statement

## Ex. 5 Deliberative Process (DP)

## **Ex. 5 Deliberative Process (DP)**

## **Ex. 5 Deliberative Process (DP)**

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry  
<[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 7:59 PM

**To:** Dunlap, David <dunlap.david@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

Thank you. I will wait for your updated points. Thanks!

---

**From:** Dunlap, David <dunlap.david@epa.gov>  
**Sent:** Monday, November 11, 2019 7:56 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

Corry,

## Ex. 5 Deliberative Process (DP)

I am working up some additional talking points.

DDD

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Sent:** Monday, November 11, 2019 7:22 PM  
**To:** Dunlap, David <dunlap.david@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** Re: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

## Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Nov 11, 2019, at 6:50 PM, Dunlap,  
David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)> wrote:

I am reviewing.

DDD

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry  
<[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 6:04 PM  
**To:** Abboud, Michael  
<[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Dunlap,  
David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Bolen, Brittany  
<[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold,  
Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>;  
Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>  
**Subject:** Fwd: NYTimes: E.P.A. to  
Tighten Limits on Science Used to Write  
Public Health Rules

**This just posted...**

**Subject: NYTimes: E.P.A. to Tighten  
Limits on Science Used to Write Public  
Health Rules**

E.P.A. to Tighten Limits  
on Science Used to  
Write Public Health  
Rules  
<https://www.nytimes.com/2019/11/11/climate/epa-science-trump.html?smid=nytcore-ios-share>

Sent from my iPhone

<Times article.docx>

Message

**From:** Schiermeyer, Corry [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B0332276A9784253A5A78F39ECCF1F29-SCHIERMEYER]  
**Sent:** 11/12/2019 5:20:30 PM  
**To:** Dunlap, David [dunlap.david@epa.gov]  
**Subject:** FW: The New York Times' Several Glaring Inaccuracies "That's Fit To Print"  
**Attachments:** ATT00001.txt

**Ex. 5 Deliberative Process (DP)**

**From:** Hale, Zack <zack.hale@spglobal.com>  
**Sent:** Tuesday, November 12, 2019 12:16 PM  
**To:** Press <Press@epa.gov>  
**Subject:** RE: The New York Times' Several Glaring Inaccuracies "That's Fit To Print"

Hello,

I just wanted to clarify – under the supplemental, one option that EPA has proposed is to make the proposed transparency rule's requirements apply retroactively to previous studies used in developing existing agency rules, correct?

Thanks,

**Zack Hale**

Reporter, Energy



1700 North Moore Street, Suite 1110  
Arlington, VA 22209

O: 703.373.0167 M: Ex. 5 Personal Privacy (PP)

[zack.hale@spglobal.com](mailto:zack.hale@spglobal.com)

Twitter: [@zackhale](https://twitter.com/zackhale)

[www.spglobal.com](http://www.spglobal.com)

[LinkedIn](#) | [Twitter](#)

**From:** EPA Press Office <[press@epa.gov](mailto:press@epa.gov)>  
**Sent:** Tuesday, November 12, 2019 12:00 PM  
**To:** Hale, Zack <[zack.hale@spglobal.com](mailto:zack.hale@spglobal.com)>  
**Subject:** The New York Times' Several Glaring Inaccuracies "That's Fit To Print"



U.S. ENVIRONMENTAL PROTECTION AGENCY

**NEWS RELEASE**

[WWW.EPA.GOV/NEWSROOM](http://WWW.EPA.GOV/NEWSROOM)

## The New York Times' Several Glaring Inaccuracies "That's Fit To Print"

WASHINGTON (Nov. 12, 2019) — Late yesterday, the New York Times published a story ***EPA to Limit Science Used to Write Public Health Rules***, that has numerous errors and is based on leaked preliminary, draft documents that are not accurate and do not include the final text submitted to the Office of Management and Budget (OMB) for interagency review.

On Friday, Nov. 8, the U.S. Environmental Protection Agency (EPA) delivered to OMB a draft supplemental federal register notice (FRN) to clarify, modify and supplement certain provisions included in the 2018 proposed “Strengthening Transparency in Regulatory Science” rule. The 2018 proposed rule solicited comment on all aspects of the proposed rule. This supplemental FRN solicits comment only on the changes and additions to the proposed regulatory text discussed in this supplemental notice. The agency still intends to issue a final rule in 2020. This final rule will take into account the comments received in response to both the 2018 proposed rule and this supplemental FRN as well as those submitted by the Science Advisory Board.

EPA recognizes that when it develops significant regulations using public resources, including regulations for which the public is likely to bear the cost of compliance, EPA should ensure that the data and models underlying scientific studies that are pivotal to the regulatory action are available for review and reanalysis. The “Strengthening Transparency in Regulatory Science” rulemaking is designed to increase transparency in the preparation, identification and use of science in rulemaking. When final, this action will ensure that the regulatory science underlying EPA’s actions are made available in a manner sufficient for independent validation.

EPA has not finalized this proposal but responds to the claims alleged as they are not an accurate account of where the proposal stands. **How the New York Times got it wrong:**

The reporter incorrectly reports that “unlike a proposal that surfaced in early 2018, this one could apply retroactively to public health regulations already in place.” **This is completely false.** The proposal and supplemental will not apply to any regulations already in place.

The reporter again says the proposal would apply retroactively to existing regulations, **which is completely false.** The supplemental (and the original proposal) allow studies like the Harvard Six City study to be used. The agency has not rejected or otherwise eliminated that option in anyway in its original proposal or supplemental. In fact, the supplemental makes it even clearer that such studies must be properly considered and takes comment from the public on this issue.

Additionally, they report that this “would require scientists to disclose all of their raw data, including confidential medical records.” **This is not true.** In the originally proposed regulation and in the leaked supplemental, EPA maintains protecting confidential personal information just as other federal health agencies regularly do. The reporter clearly does not understand the terms in the context of science transparency.

**The story continues with more false information.** The reporter writes: “The measure would make it more difficult to enact new clean air and water rules...” **This is just wrong.** The reality is that the supplemental addresses this concern and clarifies points that were not entirely made clear in the original proposal. If the reporter had truly read the *outdated* leaked draft she would have read a discussion of how scientists across the country have already approved methods to gain access to a study’s underlying data that contains personal information without revealing the identity of the individuals.

The article continues with more misleading and false information. The reporter writes: “The change is part of a broader administration effort to weaken the scientific underpinnings of policymaking.” **Science transparency does not weaken science, quite the contrary.** By requiring transparency, scientists will be required to publish hypothesis and experimental data for other scientists to review and discuss, requiring the science to withstand skepticism and peer review.

In fact, EPA currently has transparency rules in place for its intramural research and extramural grants. **Non-government funded research should also be subject to transparency requirements.** When finalized, the science transparency rule will ensure that all important studies underlying significant regulatory actions at the EPA, regardless of their source, are subject to a transparent review by qualified scientists.

The article continues with inaccurate information. The reporter writes: “The new version does not appear to have taken any of the opposition into consideration.” **This is just bad reporting. It is completely misleading, and lacks the understanding of the rule making process.** A supplemental to a proposed rule is not a ‘new’ rule and is not intended to address comments to a proposal. The public will have the ability to comment on the supplemental just as they did for the proposal. The final rule will address all comments.

Additionally, the reporter incorrectly states that: “The politically appointed agency administrator would have wide-ranging discretion over which studies to accept or reject.” **This is completely false.** The rule requires transparency but gives the EPA Administrator the discretion to use studies when information is not available. However, this should be the exception instead of the way of EPA doing business.

The reporter again inaccurately reports on the meaning of “raw data.” The supplemental seeks public comment on any changes to the scope. Once again, **the reporter confuses the situation by using “raw data,” which is clarified in the supplemental.**



In the first paragraph, they report that “the new rule would...” **This is not a new rule.** What was submitted to OMB is a supplemental to the 2018 proposed rule. In the next paragraph, they continue to misreport by calling this a “new draft.” Again, this is not a new rule, this is supplemental to the 2018 proposal.

And finally, the reporter writes: “Academics are not typically required to turn over private data when submitting studies for peer review...” The scientific community is increasingly interested in increasing transparency in research. Several academic journals, including the Public Library of Science and the Annals of Internal Medicine already have a publication condition requiring authors to make their data available upon request and many institutions, including Yale and Harvard universities, are making strides in creating publicly accessible repositories of research and clinical data.

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Washington, D.C. 20004

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Message

---

**From:** Schiermeyer, Corry [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B0332276A9784253A5A78F39ECCF1F29-SCHIERMEYER]  
**Sent:** 11/12/2019 1:06:11 AM  
**To:** Wallace, Gregory [gregory.wallace@turner.com]  
**Subject:** RE: question on scientific transparency regulations

Once I have more details I will let you know.  
Thank you...

---

**From:** Wallace, Gregory <gregory.wallace@turner.com>  
**Sent:** Monday, November 11, 2019 8:03 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Subject:** Re: question on scientific transparency regulations

Hi Corry,

Thanks for the update. I will share that with the editors who are working on this story, because I certainly believe they would want to update inaccuracies. (I would.)

Do you have any characterization of what is inaccurate, or do you have the text of the policy itself, and we'll report off of the real thing?

Thank you,  
Greg

---

**From:** "Schiermeyer, Corry" <schiermeyer.corry@epa.gov>  
**Date:** Monday, November 11, 2019 at 7:50 PM  
**To:** "Wallace, Gregory" <gregory.wallace@turner.com>  
**Subject:** RE: question on scientific transparency regulations

Hello Greg,

I am trying to get more info...as there are apparently a number of inaccuracies in the NYT article. Will you update when I have something more?

---

**From:** Wallace, Gregory <gregory.wallace@turner.com>  
**Sent:** Monday, November 11, 2019 6:18 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Subject:** Re: question on scientific transparency regulations

Thank you very much, Corry.

---

**From:** "Schiermeyer, Corry" <schiermeyer.corry@epa.gov>  
**Date:** Monday, November 11, 2019 at 6:08 PM  
**To:** "Wallace, Gregory" <gregory.wallace@turner.com>  
**Subject:** Re: question on scientific transparency regulations

EPA Spokesperson:

EPA is committed to science transparency and is working to finalize the supplemental in 2020. Under The Trump Administration, EPA is focused on providing certainty to the American public on the science being used in developing rules and regulations.

Sent from my iPhone

On Nov 11, 2019, at 6:03 PM, Wallace, Gregory <[gregory.wallace@turner.com](mailto:gregory.wallace@turner.com)> wrote:

Good evening,

I understand the New York Times is reporting on a draft of the scientific transparency regulations this evening.

Do you have any comment on the report and where the regulation stands?

Thank you,  
Greg

Gregory Wallace  
CNN  
202-738-3113

Message

---

**From:** Schiermeyer, Corry [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B0332276A9784253A5A78F39ECCF1F29-SCHIERMEYER]  
**Sent:** 11/12/2019 12:48:25 AM  
**To:** Miranda Green [mgreen@thehill.com]  
**Subject:** RE: Comment on Nytimes piece

I should have something for you, soon.

**From:** Miranda Green <mgreen@thehill.com>  
**Sent:** Monday, November 11, 2019 7:45 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Subject:** Re: Comment on Nytimes piece

I just published. Will add in any response you give. Thanks.

On Mon, Nov 11, 2019 at 7:32 PM Schiermeyer, Corry <schiermeyer.corry@epa.gov> wrote:

What's your deadline?  
Working on trying to get you an answer.

Sent from my iPhone

On Nov 11, 2019, at 7:11 PM, Miranda Green <mgreen@thehill.com> wrote:

Looking for a comment on tonight's NYtimes piece reporting on the latest draft of the science transparency rule.

<https://www.nytimes.com/2019/11/11/climate/epa-science-trump.html?action=click&module=Top%20Stories&pgtype=Homepage>

Can you confirm the legitimacy of the draft and provide comment on the reason for the change to expand requested raw data from scientific studies in the draft?

Thanks,  
Miranda

--

Miranda Green  
Energy and Environment Reporter, The Hill

Ex. 6 Personal Privacy (PP)

[mgreen@thehill.com](mailto:mgreen@thehill.com)  
@mirandacgreen

--

Miranda Green

Energy and Environment Reporter, The Hill

Ex. 6 Personal Privacy (PP)

mgreen@thehill.com

@mirandacgreen

Message

---

**From:** Schiermeyer, Corry [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B0332276A9784253A5A78F39ECCF1F29-SCHIERMEYER]  
**Sent:** 11/12/2019 4:10:46 PM  
**To:** Brazauskas, Joseph [brazauskas.joseph@epa.gov]  
**Subject:** RE:  
**Attachments:** NYT rebuttal.docx

-----Original Message-----

From: Brazauskas, Joseph <brazauskas.joseph@epa.gov>  
Sent: Tuesday, November 12, 2019 11:10 AM  
To: Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
Subject:

Hi Corry would you please send me the info we are going to send around? Thank you

Joseph A. Brazauskas Jr.  
Associate Administrator  
Congressional and Intergovernmental Relations U.S. EPA

Message

**From:** Sauerhage, Maggie [Sauerhage.Maggie@epa.gov]  
**Sent:** 11/12/2019 5:21:50 PM  
**To:** Woods, Andrea [Woods.Andrea@epa.gov]  
**Subject:** RE: The New York Times' Several Glaring Inaccuracies "That's Fit To Print"

Thanks – here's the link, I just sent to Rebecca: <https://www.epa.gov/newsreleases/new-york-times-several-glaring-inaccuracies-thats-fit-to-print>

Do you want me to send to the rest of the list?

Maggie Sauerhage  
Office of Public Affairs  
U.S. Environmental Protection Agency  
Office: (202) 564-0443  
Cell: Ex. 6 Personal Privacy (PP)

---

**From:** Woods, Andrea <Woods.Andrea@epa.gov>  
**Sent:** Tuesday, November 12, 2019 12:19 PM  
**To:** Abboud, Michael <abboud.michael@epa.gov>; Press <Press@epa.gov>  
**Subject:** RE: The New York Times' Several Glaring Inaccuracies "That's Fit To Print"

FYI – list of reporters who have asked is below:

| Reporter          | Outlet          | Email                                                                        |
|-------------------|-----------------|------------------------------------------------------------------------------|
| Rebecca Coons     | Chemical Week   | <Rebecca.Coons@ihsmarkit.com>                                                |
| Kelsey Brugger    | E&E             | <a href="mailto:kbrugger@eenews.net">kbrugger@eenews.net</a>                 |
| Stephen Stromberg | Washington Post | <Stephen.Stromberg@washpost.com>                                             |
| Courtney Buble    | Gov Exec        | <a href="mailto:cbuble@govexec.com">cbuble@govexec.com</a>                   |
| Miranda Green     | The Hill        | <a href="mailto:mgreen@thehill.com">mgreen@thehill.com</a>                   |
| Yessenia Funes    | Gizmodo         | <a href="mailto:yessenia.funes@earthier.com">yessenia.funes@earthier.com</a> |
| Brady Dennis      | Washington Post | <a href="mailto:brady.dennis@washpost.com">brady.dennis@washpost.com</a>     |
| Lisa Friedman     | NYT             | <a href="mailto:lisa.friedman@nytimes.com">lisa.friedman@nytimes.com</a>     |
| Gregory Wallace   | CNN             | <a href="mailto:gregory.wallace@turner.com">gregory.wallace@turner.com</a>   |

---

**From:** Abboud, Michael <abboud.michael@epa.gov>  
**Sent:** Tuesday, November 12, 2019 12:15 PM  
**To:** Press <Press@epa.gov>  
**Subject:** FW: The New York Times' Several Glaring Inaccuracies "That's Fit To Print"

Can we get this posted, and then send the link to those who asked about the report?

---

**From:** EPA Press Office <press@epa.gov>  
**Sent:** Tuesday, November 12, 2019 12:00 PM  
**To:** Abboud, Michael <abboud.michael@epa.gov>  
**Subject:** The New York Times' Several Glaring Inaccuracies "That's Fit To Print"



U.S. ENVIRONMENTAL PROTECTION AGENCY  
**NEWS RELEASE**  
WWW.EPA.GOV/NEWSROOM

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Administrator the discretion to use studies when information is not available. However, this should be the exception instead of the way of EPA doing business.

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And finally, the reporter writes: “Academics are not typically required to turn over private data when submitting studies for peer review...” The scientific community is increasingly interested in increasing transparency in research. Several academic journals, including the Public Library of Science and the Annals of Internal Medicine already have a publication condition requiring authors to make their data available upon request and many institutions, including Yale and Harvard universities, are making strides in creating publicly accessible repositories of research and clinical data.

\*\*\*\*\*

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Washington, D.C. 20004



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Message

---

**From:** Michael Abboud [Abboud.Michael@epa.gov]  
**Sent:** 11/12/2019 5:00:26 PM  
**To:** Woods, Andrea [Woods.Andrea@epa.gov]  
**Subject:** Your campaign has been sent

## Your campaign has been sent

The campaign **The New York Times' Several Glaring Inaccuracies "That's Fit To Print"** has been sent to **3,009** recipients, with the subject of 'The New York Times' Several Glaring Inaccuracies "That's Fit To Print".



[See the reports, or view this campaign](#)



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Message

---

**From:** Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]  
**Sent:** 11/12/2019 2:32:36 AM  
**To:** Molly Block **Ex. 6 Personal Privacy (PP)**  
**Subject:** Fwd: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative  
**Attachments:** Times article.docx; ATT00001.htm

Sent from my iPhone

Begin forwarded message:

**From:** "Dunlap, David" <dunlap.david@epa.gov>  
**Date:** November 11, 2019 at 9:22:50 PM EST  
**To:** "Schiermeyer, Corry" <schiermeyer.corry@epa.gov>  
**Cc:** "Abboud, Michael" <abboud.michael@epa.gov>, "Bolen, Brittany" <bolen.brittany@epa.gov>, "Leopold, Matt (OGC)" <Leopold.Matt@epa.gov>, "Jackson, Ryan" <jackson.ryan@epa.gov>, "Block, Molly" <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

See attached for my comments on the Times article.

DDD

David D. Dunlap  
O – 202.564.6620

---

**From:** Dunlap, David  
**Sent:** Monday, November 11, 2019 9:22 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Block, Molly <block.molly@epa.gov>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

DDD

David D. Dunlap  
O – 202.564.6620

---

**From:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Sent:** Monday, November 11, 2019 9:03 PM  
**To:** Dunlap, David <dunlap.david@epa.gov>

**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

Thank you

---

**From:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>

**Sent:** Monday, November 11, 2019 9:01 PM

**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>

**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

David D. Dunlap  
O – 202.564.6620

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**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>

**Sent:** Monday, November 11, 2019 8:44 PM

**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>

**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

## Ex. 5 Deliberative Process (DP)

Proposed Statement

## Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

**From:** Dunlap, David <dunlap.david@epa.gov>

**Sent:** Monday, November 11, 2019 8:35 PM

**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>

**Cc:** Abboud, Michael <abboud.michael@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Block, Molly <block.molly@epa.gov>

**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules - Draft/Deliberative

As promised. I am flexible and would appreciate your guidance.

DDD

Draft/Deliberative

Proposed Statement

## Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

David D. Dunlap  
O – 202.564.6620

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**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 7:59 PM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

Thank you. I will wait for your updated points. Thanks!

---

**From:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Sent:** Monday, November 11, 2019 7:56 PM  
**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** RE: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

Corry,

## Ex. 5 Deliberative Process (DP)

I am working up some additional talking points.

DDD

David D. Dunlap  
O – 202.564.6620

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**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Monday, November 11, 2019 7:22 PM  
**To:** Dunlap, David <[dunlap.david@epa.gov](mailto:dunlap.david@epa.gov)>  
**Cc:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>  
**Subject:** Re: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

# Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Nov 11, 2019, at 6:50 PM, Dunlap, David <dunlap.david@epa.gov> wrote:

I am reviewing.

DDD

David D. Dunlap  
O – 202.564.6620

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**From:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>  
**Sent:** Monday, November 11, 2019 6:04 PM  
**To:** Abboud, Michael <abboud.michael@epa.gov>; Dunlap, David <dunlap.david@epa.gov>  
**Cc:** Bolen, Brittany <bolen.brittany@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>  
**Subject:** Fwd: NYTimes: E.P.A. to Tighten Limits on Science Used to Write Public Health Rules

**This just posted...**

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E.P.A. to Tighten Limits on Science Used to Write Public Health Rules  
<https://www.nytimes.com/2019/11/11/climate/epa-science-trump.html?smid=nytcore-ios-share>

Sent from my iPhone